JOINT COMMITTEE ON OFFICES OF PROFIT

H. G. Paranjpe
Deputy Secretary
Sabha Secretariat

(FIFTH LOK SABHA)

SECOND REPORT

ON

THE DRAFT PARLIAMENT (PREVENTION OF DISQUALIFICATION) AMENDMENT BILL, 1971

(Presented on the 31st May, 1972)

LOK SABHA SECRETARIAT
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JOINT COMMITTEE ON OFFICES OF PROFIT

(Fifth Lok Sabha)

COMPOSITION OF THE JOINT COMMITTEE

CHAIRMAN

Shri Dharnidhar Basumatari

MEMBERS

Lok Sabha

2. Shri Chandrika Prasad
3. Shri Somnath Chatterjee
4. Shri Jagannathrao Joshi
5. Shri Z. M. Kahandole
6. Shri Pratap Singh
7. Shri Ramji Ram
8. Shri S. B. P. Pattabhi Rama Rao
9. Shri Arjun Sethi
10. Shri Ramavatar Shastri

Rajya Sabha

*11. Shri Vithal Gadgil
12. Shri S. A. Khaja Mohideen
13. Shri Sanda Narayanappa
14. Shri Venigalla Satyanarayana
*15. Shri Yogendra Sharma

SECRETARIAT

Shri P. K. Patnaik—*Joint Secretary.*

Shri H. G. Paranjpe—*Deputy Secretary.*

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*Elected by Rajya Sabha on the 22nd May, 1972, *vice* Dr. (Mrs.) Mangladevi Talwar and Shri M. V. Bhadram ceased to be members of the Joint Committee on their retirement from that House.

REPORT OF THE JOINT COMMITTEE

I

INTRODUCTION

I, the Chairman of the Joint Committee on Offices of Profit, having been authorised by the Committee to present the Report on their behalf, present this Second Report of the Committee on the Draft Parliament (Prevention of Disqualification) Amendment Bill, 1971.

2. The Joint Committee on Offices of Profit presented five reports during the term of Second Lok Sabha, five reports during the term of Third Lok Sabha and seven reports during the term of Fourth Lok Sabha. In para 9 of their Second Report (Second Lok Sabha), presented to the Lok Sabha on the 9th September, 1960, the Joint Committee had urged Government to bring in early legislation to give effect to their recommendations. The Committee repeated the recommendation in their subsequent Reports.

3. In July, 1971, the Ministry of Law and Justice forwarded to the Lok Sabha Secretariat the Draft Parliament (Prevention of Disqualification) Amendment Bill, 1971. In their forwarding letter (Appendix I), the Ministry requested that the draft Bill, which sought to implement the recommendations of the Joint Committee made during the Second, Third and Fourth Lok Sabha, might be placed before the Joint Committee for consideration and report.

4. At their sitting held on the 12th August, 1971, the Chairman apprised the Committee about the receipt of the Draft Bill from the Ministry of Law and Justice.

5. On the 6th September, 1971, certain points arising from the proposals contained in the Draft Bill were referred to the Ministry of Law and Justice for clarification. The necessary clarifications were received from the Ministry of Law and Justice on the 20th January, 1972. The points on which clarifications were sought by the Committee together with the reply of the Ministry of Law and Justice thereto are at Appendix II. On a few points, further clarification was sought. This was received from the Ministry of Law and Justice on the 21st February, 1972.

6. The Committee considered the Draft Bill at their sitting held on the 25th May, 1972.

The Committee considered and adopted the Report on the 29th May, 1972.

II

BACKGROUND

7. Article 102(1)(a) of the Constitution of India provides as follows:—

> "A person shall be disqualified for being chosen as, and for being, a member of either House of Parliament—
>
> (a) if he holds any office of profit under the Government of India

or the Government of any State, other than an office declared by Parliament by law not to disqualify its holders;"

8. The offices declared by Parliament to be exempt from disqualification for membership of Parliament are laid down in Section 3 of the Parliament (Prevention of Disqualification) Act, 1959. Under Section 3(i) of the Act, the office of Chairman, director or member of any statutory or non-statutory body is exempt from disqualification if the holder of such office is not entitled to any remuneration other than 'compensatory allowance,' but the following offices have been specifically excluded from exemption:—

(i) the office of chairman of any statutory or non-statutory body specified in Part I of the Schedule to the Act, and

(ii) the office of chairman or secretary of any statutory or non-statutory body specified in Part II of the Schedule to the Act.

9. Clause 2(a) of the Draft Bill which seeks to amend Section 3(i) of the principal Act attempts on the one hand to combine the existing entries in Parts I and II of the Schedule to the 1959 Act into one part, "so that the Chairmen and Secretaries of all the bodies enumerated therein are excluded from exemption from disqualification" and it seeks on the other hand to bring the office of the Director of certain statutory and non-statutory bodies within the ambit of disqualification. The new schedule also seeks to incorporate various other entries for purposes of disqualification. The amendment proposed in clause 2(b) of the Bill is only of a consequential nature.

10. The observations of the Joint Committee on the proposals contained in the Draft Bill are set forth in the succeeding paragraphs.

III

DISQUALIFICATION OF DIRECTORSHIP OF CERTAIN BODIES

11. The Committee note that some of the bodies included in the Schedule to the Draft Bill (Appendix III) are such in respect of which the recommendation of the Joint Committee was that only chairmanship/chairmanship and secretaryship thereof ought to be excluded from exemption from disqualification. Having regard to the recommendation of the Joint Committee that Part I and Part II of the Schedule to the 1959 Act should be combined, only the chairmanship and secretaryship of these bodies should have been excluded from exemption. But under clause 2(a) of the Draft Bill, not only the chairmanship and secretaryship of these bodies but even the *directorship* of these bodies is sought to be excluded from exemption.

12. The Committee also note that 115 of the bodies enumerated in the Schedule (Parts I & II) to the 1959 Act have also been included in the Schedule to the Draft Bill (Appendix IV). Some of these have the office of director but not all of them. Under the 1959 Act, the office of director of the bodies enumerated in the Schedule thereto has not been excluded from exemption from disqualification. But under Clause 2(a) of the Draft Bill, the office of director of the bodies included in the Schedule

is sought to be excluded from exemption. As a result, the directorship of a number of bodies, which was not excluded from exemption under the 1959 Act, will now suffer disqualification under the Draft Bill.

13. The Ministry of Law and Justice (Legislative Department) who were asked to elucidate the considerations on which the directorship of the bodies referred to in the preceding two paragraphs was sought to be excluded from exemption, in their reply, *inter alia* stated as follows:—

"....The Joint Committee.....observed in paragraph 5 of their Third Report (Second Lok Sabha):—

"The Committee also felt that if members, who were associated with certain bodies as Directors or otherwise, sat in the House they would be in an embarrassing position, *vis-a-vis* the Minister responsible for the particular statutory body when such body came up for discussion in the House."

In furtherance of the said principle, the Joint Committees of the Second, Third and Fourth Lok Sabha made recommendations in their various reports for disqualifying the office of directorship in a number of public sector undertakings. In this connection attention is invited to paragraphs 8 and 10, *Fifth* Report (Third Lok Sabha, paragraph 15 and 16, *First* Report (Fourth Lok Sabha) etc. The main factors taken into consideration by the Joint Committee in making those recommendations were that the Directors may be called upon to exercise executive functions (*e.g.* powers of control and supervision) and financial powers in relation to the undertakings concerned, and that they will wield influence and patronage which may be incompatible with their position *qua* Members of Parliament. In certain other cases, the Directors were entitled to remuneration or sitting fee far in excess of the compensatory allowance ordinarily admissible to a Member of Parliament.

* * * *

Finally, the Government felt that directorship of public undertakings, as a class, should be a disqualification. Clause 2 of the Bill as drafted is intended to give effect to these decisions."

14. The Committee feel that Government have not properly appreciated the recommendations of Joint Committee in regard to disqualification of directorship. In some cases where the Committee observed that the Board of Directors enjoyed executive and financial powers and were, thereby, in a position to yield influence, they recommended disqualification of the office of directorship, even though the amount payable to the holder was less than the 'compensatory allowance'. In other cases where they found that the Board of Directors did not enjoy such powers, they did not recommend exclusion of directorship from exemption from disqualification. However, as the Board of Directors of public undertakings, by and large, enjoy executive and financial powers, the Committee accept the Government suggestion that directorship of public undertakings, as a class, should disqualify.

IV

DISQUALIFICATION OF MEMBERSHIP OF CERTAIN BODIES

15. The Committee note that in respect of the bodies enumerated in Appendix V, the recommendation of the Joint Committee was that their

membership ought to be excluded from exemption from disqualification. All these bodies find a place in the Schedule to the Draft Bill. However, as the Draft Bill does not provide for exclusion from exemption of the office of **member* (as contradistinguished from the office of director *i.e.*, member of the Board of Directors) of the bodies enumerated in the Schedule thereto, their recommendation in regard to disqualification of *membership* of these bodies has not been given effect to.

16. On the other hand the Committee note that a number of bodies the membership of which had been recommended for exclusion from exemption by the Joint Committee (Appendix VI), have not been included in the Schedule to the Draft Bill. While some of these (Part B of Appendix VI) have since ceased to exist, others still exist (Appendix VI—Part A).

17. In regard to the bodies mentioned in the preceding two paragraphs, the Ministry of Law and Justice had stated as follows :—

> "It has not been possible to give effect to the recommendations of the Joint Committee in respect of these bodies as it is not within the scope of this Bill to include disqualification on account of membership of any statutory or non-statutory body."

18. The Ministry of Law and Justice were requested to elucidate as to how inclusion of disqualification on account of membership of these bodies was beyond the scope of the Bill. They were also requested to clarify whether there was any difficulty, legal or other, in enlarging the scope of the Bill to give effect to the recommendations of the Joint Committee in respect of these bodies.

19. In their reply dated the 20th January, 1972 (*vide* Appendix II), the Ministry of Law and Justice, *inter alia*, stated as follows:—

> "It may.....be pointed out that the principle that Members of Parliament should be associated with public undertakings and other bodies as members where no pecuniary gain is derived, has been duly recognised by Parliament at the time of the enactment of the Parliament (Prevention of Disqualification) Act, 1959. In this connection, it may be recalled that in the Parliament (Prevention of Disqualification) Bill, 1957, as reported by the Joint Committee, the office of member was included in the second part of sub-clause (i) of clause 3 of the Bill for the purpose of entailing disqualification, but this was dropped by an amendment in the Rajya Sabha which was later agreed to by the Lok Sabha. * * *
>
> ".....The question whether membership simplicitor of any undertaking or body should entail disqualification is an important question of policy which as explained above has already been settled by Parliament. Once it is decided as a matter of

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*In the scheme of the draft Bill, a distinction has been drawn between the offices of '*director*' and '*member*'. While the office of the director of the bodies included in the Schedule to the draft Bill has been excluded from exemption as a class, the office of member *has not been*

policy to disassociate the Members of Parliament from being members of any such undertaking or body, there may not be any difficulty to enlarge the scope of the Bill in the manner proposed."

20. As regards the principle of the 1959 Act, the Committee agree that under it, no disqualification is attached to the membership/directorship of a statutory or a non-statutory body if the remuneration payable to the member/director does not exceed the compensatory allowance. But, at the same time, the Committee would like to point out that under the terms of reference of the Joint Committee on Offices of Profit, which was constituted shortly after the enactment of the 1959 Act, one of the functions assigned to the Joint Committee was "to examine the composition and character of all existing 'committees' and all 'committees' that may hereafter be constituted, membership of which may disqualify a person for being chosen as, and for being, a member of either House of Parliament under Article 102 of the Constitution". Thus, even though, under the 1959 Act, no disqualification was attached to the membership/directorship of a body if the remuneration payable did not exceed the compensatory allowance, Parliament did not treat this principle as final.

21. The reasons why the Committee do not want the membership of statutory/non-statutory bodies constituted by Government to be exempted from disqualification as a class are given in para 5 of their Third Report (Second Lok Sabha). As observed there, membership of certain bodies is not compatible with membership of Parliament for one reason or the other. For instance, certain committees or boards are entrusted with executive, financial or judicial powers. In other cases, although membership does not carry any remuneration, it places its members in a position of power or influence or in a position to distribute patronage. In respect of other bodies, membership appears incompatible due to physical impossibility of attending in two places or due to heavy duties being attached to those offices. In view of this, the committee feel that the membership of the bodies referred to in paras 15-16 above ought not to be exempted from disqualification.

V

SCHEME OF THE SCHEDULE

22. The Schedule to the Parliament (Prevention of Disqualification) Act, 1959 consists of two parts—

(i) Part I enumerates the bodies the chairmanship of which has been excluded from exemption from disqualification for membership of Parliament.

(ii) Part II enumerates the bodies the chairmanship and secretaryship of which have been excluded from exemption from disqualification for membership of Parliament.

23. The recommendations of the Joint Committee made subsequent to the 1959 Act fall in the following three broad categories:—

(i) only the chairmanship of the body concerned ought to disqualify;

(ii) the chairmanship and secretaryship of the body concerned ought to disqualify; and

(iii) the chairmanship, secretaryship as well as directorship/membership of the body concerned ought to disqualify.

24. In para 18 of their First Report (Third Lok Sabha), the Joint Committee on Offices of Profit recommended that the existing Parts I and II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959 may be combined into one part. In paras 6 to 10 of their Third Report (Second Lok Sabha), the Joint Committee recommended that the Act should be amended so as to have another part to the Schedule which should specify the bodies even the membership (i.e. including directorship) of which ought to disqualify.

25. The Committee note that the Bill under report contains a single schedule, the chairmanship, secretaryship and directorship, as the case may be, of all the bodies included wherein are sought to be excluded from exemption from disqualification.

26. The Committee feel that the existing scheme of the schedule to the Draft Bill will not meet the requirements of the recommendations referred to in paras 23 and 24 ante. In their view, to give proper effect to the recommendations referred to in those paragraphs, there should either be two separate schedules or two distinct parts of one schedule—one enumerating the bodies, the chairmanship and secretaryship of which are sought to be excluded from exemption from disqualification and the other enumerating the bodies the chairmanship, secretaryship as well as directorship/membership of which are sought to be excluded from exemption from disqualification. The Committee, therefore, recommend that the Schedule to the Draft Bill be re-arranged on the above lines.

VI

NON-INCLUSION OF CERTAIN BODIES IN THE SCHEDULE

27. The Committee note that in addition to the bodies mentioned in para 16 above, there are certain other bodies which, though recommended by them, have not been included in the Schedule to the Draft Bill. Likewise, certain bodies which were included in the Schedule to the 1959 Act, have not been included in the Schedule to the Draft Bill. The reasons for the non-inclusion of these bodies in the Schedule as given by the Ministry of Law and Justice are detailed in Annexures I & II to the Draft Bill. Most of these bodies have either ceased to exist or been reconstituted under some other name. The Committee consider the reasons given by the Ministry of Law and Justice in respect of these bodies as satisfactory except in the case of the Small Committee for distribution of Copper Quota, Jagadhri, Punjab (Haryana) in respect of which no reasons have been given. On a clarification having been sought, the Ministry of Law and Justice have stated that the entry regarding Small Committee for distribution of Copper Quota, Jagadhri, Punjab (Haryana) was omitted at the instance of the Government of Haryana/Punjab. In their communication asking for the omission of this entry, the Government of Haryana had merely conveyed its decision to that effect without assigning any reasons therefor.

28. The Committee are not satisfied with this explanation. They feel that the entry in respect of the aforesaid body should not have been omitted from the Schedule.

VII

MISCELLANEOUS

29. The Committee observe that offices in a number of statutory or non-statutory bodies the holding of which did not constitute any disqualification under the 1959 Act are now sought to be excluded from exemption by the proposed legislation. The Committee feel that in case any of these offices is held by a sitting Member of Parliament, he may be allowed a reasonable period from the date of coming into force of the proposed legislation to resign from such offices, without being subjected to any disqualification during the transitional period. The Committee would like the Ministry of Law and Justice to consider the feasibility of including a transitional provision to this effect in the Bill.

30. While examining a State body, namely, the Maharashtra State Warehousing Corporation, the Committee found that even though the body was constituted in 1962, necessary information in respect thereof was received from the State Government only in December, 1972. The procedure followed by the Joint Committee for the discharge of their function is that after its constitution at the commencement of each Lok Sabha, a letter is, inter alia, addressed to State Governments asking them to furnish information in respect of all bodies set up by them. But, if State Governments do not furnish the information in time or at all the Committee are unable to examine whether the offices held in the relevant body ought or ought not to be exempted from disqualification. This is a serious lacuna in the existing arrangement and can lead to certain anomalies. For instance, while offices held in certain bodies in certain States may be excluded from exemption at the instance of this Committee, offices held in certain other bodies in some other States, with similar functions and powers, may escape disqualification on account of non-receipt of information by the Committee. The Committee would, therefore, like the Ministry of Law and Justice to examine as to what measures can be taken to ensure that the requisite information in respect of all the bodies constituted by State Governments is furnished to the Committee, soon after they are constituted.

31. Another aspect to which the Committee would like to draw attention is the delay in bringing in legislation to give effect to the recommendations of the Committee. Even though the Joint Committee in their successive Reports urged Government to bring in early legislation to give effect to their recommendations, Government forwarded the Draft Bill to the Committee only in July, 1971—nearly 11 years after the Committee originally made the recommendation. As a result, there has been inordinate delay in the implementation of the recommendations of the Committee. The Committee would, therefore, like to impress upon Government the need to bring in legislation for the purpose at shorter intervals—say five-yearly.

VIII

CONCLUSION

32. The Committee desire that the Draft Bill may be revised in the light of the observations contained in the earlier paragraphs, and the Bill, as so revised, brought before Parliament at an early date.

NEW DELHI;
Dated the 29th May, 1972

DHARNIDHAR BASUMATARI,
Chairman,
Joint Committee on Offices of Profit

DRAFT

THE PARLIAMENT (PREVENTION OF DISQUALIFICATION AMENDMENT BILL, 1971

A

BILL

further to amend the Parliament (Prevention of Disqualification) Act, 1959.

BE it enacted by Parliament in the Twenty-Second Year of the Republic of India as follows:—

1. This Act may be called the Parliament (Prevention of Disqualification) Amendment Act, 1971. Sho

2. In section 3 of the Parliament (Prevention of Disqualification) Act, 1959 (hereinafter referred to as the principal Act), Ame of Se

(*a*) in clause (*i*), for the words, figures and brackets "but excluding (*i*) the office of chairman of any statutory or non-statutory body specified in Part I of the Schedule and (*ii*) the office of chairman or secretary of any statutory or non-statutory body specified in Part II of the Schedule", the words "but excluding the office of chairman, director or secretary, as the case may be, of any statutory or non-statutory body specified in the Schedule" shall be substituted;

(*b*) in the Explanation, for the words "chairman or secretary", the words "chairman, director or secretary" shall be substituted.

3. For the Schedule to the principal Act, the following Schedule shall be substituted, namely:— Su of by Sch

"THE SCHEDULE

[*See* Section 3(i)]

PART I

Statutory and non-statutory bodies under the Central Government

1. Advisory Committee for the Air India Corporation appointed under section 41 of the Air Corporations Act, 1953 (27 of 1953).

2. Advisory Committee for the Indian Airlines Corporation appointed under section 41 of the Air Corporations Act, 1953 (27 of 1953).

3. Agricultural Prices Commission.

4. Air India Corporation established under section 3 of the Air Corporations Act, 1953 (27 of 1953).

5. Atomic Energy Commission.

6. Bhakra Management Board.

7. Bharat Aluminium Company Limited.

8. Board of Directors of the Bharat Earth Movers Limited.

9. Board of Directors of the Bharat Electronics Limited.

10. Board of Directors of the Deposit Insurance Corporation.

11. Board of Directors of the Export Credit and Guarantee Corporation, Bombay.

12. Board of Directors of the Film Finance Corporation Limited, Bombay.

13. Board of Directors of the Heavy Electricals Limited.

14. Board of Directors of the Heavy Engineering Corporation Limited, Ranchi.

15. Board of Directors of the Hindustan Aeronautics Limited, Bangalore.

16. Board of Directors of the Hindustan Antibiotics Limited.

17. Board of Directors of the Hindustan Cables Limited.

18. Board of Directors of the Hindustan Housing Factory.

19. Board of Directors of the Hindustan Insecticides Limited.

20. Board of Directors of the Hindustan Machine Tools Limited.

21. Board of Directors of the Hindustan Shipyard Limited.

22. Board of Directors of the Hindustan Steel Limited.

23. Board of Directors of the Hindustan Zinc Limited.

24. Board of Directors of the Indian Rare Earths Limited.

25. Board of Directors of the Indian Telephone Industries Limited, Bangalore.

26. Board of Directors of the Mogul Line Limited.

27. Board of Directors of the Nahan Foundry Private Limited.

28. Board of Directors of the Hindustan Chemicals and Fertilizers Limited.

29. Board of Directors of the National Coal Development Corporation (Private) Limited.

30. Board of Directors of the National Industrial Development Corporation Limited.

31. Board of Directors of the National Instruments Limited.

32. Board of Directors of the National Projects Construction Corporation.

33. Board of Directors of the National Research Development Corporation of India.

34. Board of Directors of the National Small Industries Corporation Limited.

35. Board of Directors of the Neyveli Lignite Corporation (Private) Limited.

36. Board of Directors of the Orissa Mining Corporation Limited.

37. Board of Directors of the Praga Tools Corporation Limited.

38. Board of Directors of the Rehabilitation Industries Corporation Limited.

39. Board of Directors of the Sindri Fertilizers and Chemicals Limited.

40. Board of Directors of the State Trading Corporation of India Limited.

41. Board of Directors of the Tungabhadra Steel Products Limited.

42. Board of Examinations (Engineering, Agriculture, Rural Services and Sanitary Inspectors' Courses).

43. Board of Management, Overseas Communications Service.

44. Board of Moderators in Commerce, Engineering and Architecture.

45. Board of Studies for Agricultural and Science Courses.

46. Board of Studies for Civil and Rural Engineering.

47. Board of Studies for Rural Services Course.

48. Board of Studies for Sanitary Inspectors' Course.

49. Board of Trustees for Coal Mines Provident Fund.

50. Board of Trustees constituted under the Major Port Trusts Act, 1963 (38 of 1963) in respect of Major Ports other than the Major Ports of Bombay, Calcutta and Madras.

51. Cement Corporation of India Limited.

52. Central Advisory Committee on Raw Films.

53. Central Board of Geophysics.

54. Central Board of Trustees Employees' Provident Fund.

55. Central Silk Board constituted under section 4 of the Central Silk Board Act, 1948 (61 of 1948).

56. Central Social Welfare Board.

57. Central Warehousing Corporation established under section 3 of the Warehousing Corporation Act. 1962 (58 of 1962).

58. Chambal Control Board.

59. Committee to advise on problems concerning Petroleum Products and the like.

60. Coal Board. established under section 4 of the Coal Mines (Conservation and Safety) Act, 1952 (12 of 1952).

61. Coal Mines Labour Housing Board constituted under section 6 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947).

62. Coffee Board, constituted under section 4 of the Coffee Act, 1942 (7 of 1942).

63. Coir Board, constituted under section 4 of the Coir Industry Act, 1953 (4 of 1953).

64. Commissioners for the Port of Calcutta.

65. Co-ordination Committee to consider problems of industrialisation, etc. of Company Region.

66. Cotton Advisory Board.

67. Cotton Textile Consultative Committee.

68. Development Council for Acids and Fertilizers established under section 6 of Industries (Development and Regulation) Act, 1951 (65 of 1951).

69. Development Council for Alcohol and Fermentation Industries.

70. Development Council for Alkalis and Allied Industries, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

71. Development Council for Automobiles, Automobiles Ancillary and Transport Vehicles Industries.

72. Development Council for Bicycles, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

73. Development Council for Drugs, Dyes and Intermediates, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

74. Development Council for Food Processing Industries, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

75. Development Council for Heavy Electrical Engineering Industries, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

76. Development Council for Internal Combustion Engines and Power Driven Pumps, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

77. Development Council for Leather, Leather goods and pickers.

78. Development Council for Light Electrical Engineering Industries, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

79. Development Council for Machine Tools, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

80. Development Council for Non-ferrous Metals including alloys, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

81 Develoment Council for Oil-based and Plastic Industries, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

82. Development Council for Paper, Pulp and Allied Industries.

83. Development Council for Sugar Industry, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

84. Development Council for Textiles made of artificial silk including artificial silk yarn, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

85. Development Council for Textile made of wool including woollen yarn, hosiery, carpets and druggets, established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

86. Dock Labour Board, Bombay, established under the Bombay Dock Workers (Regulation of Employment) Scheme, 1956, made under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948).

87. Dock Labour Board, Calcutta, established under the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956, made under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948).

88. Dock Labour Board, Madras, established under the Madras Dock Workers (Regulation of Employment) Scheme, 1956, made under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948).

89. Dock Labour Board, Cochin.

90. Dock Labour Board, Vizagapatnam.

91. Durgah Committee, Ajmer, constituted under section 4 of the Durgah Khawaja Saheb Act, 1955 (36 of 1955).

92. Executive Committee of the Board of Directors of the Deposit Insurance Corporation.

93. Executive Committee for the National Atlas.

94. Executive Council of the Central Indian Medical Plants Organization, New Delhi.

95. Executive Council of the Regional Research Laboratory, Assam.

96. Executive Council of the Regional Research Laboratory, Jammu.

97. Food Corporation of India.

98. Forward Markets Commission, established under section 3 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952).

99. Indian Airlines Corporation, established under section 3 of the Air Corporation Act, 1953 (27 of 1953).

100. Indian Central Arecanut Committee.

101. Indian Central Jute Committee.

102. Indian Central Sugarcane Committee.

103. Indian Central Tobacco Committee.

104. Indian Handicrafts Development Corporation (Private) Limited.

105. Industrial Finance Corporation of India, established under section 3 of the Industrial Finance Corporation Act, 1948 (15 of 1948).

106. Inter-State Transport Commission.

107. Jury for Jawaharlal Nehru Award for International Understanding.

108. Kendriya Hindi Shikshana Mandal.

109. Licensing Committee, constituted under rule 10 of the Registration and Licensing of Industrial Undertakings Rules, 1952, made under the Industries (Development and Regulation) Act, 1951 (65 of 1951).

110. Life Insurance Corporation of India.

111. Medical Benefits Council of the Employees' State Insurance Corporation.

112. Mining Boards, constituted under section 12 of the Mines Act, 1952 (35 of 1952).

113. National Cooperative Development Corporation, established under section 3 of the National Cooperative Development Corporation Act, 1962 (26 of 1962).

114. Nagarjuna Sagar Control Board.

115. National Textile Corporation Limited (Managing Director only).

116. Panel of Agricultural Scientists.

117. Panel of the Structural Fabricating Industry.

118. Planning Committee for the Birlas Industrial and Technological Museum, Calcutta.

119. Planning Committee on the Central Mechanical Engineering Research Institute, Durgapur.

120. Planning Committee on the Central Public Health Engineering Research Institute, Nagpur.

121. Posts and Telegraphs Workshops Board.

122. Price Fixation Committee for Prize Winning Books.

123. Rajasthan Canal Board and Committee of Direction.

124. Regional Advisory Committees on Raw Films at Bombay, Madras and Calcutta.

125. Rehabilitation Industries Corporation Limited.

126. Rubber Board, constituted under section 4 of the Rubber Act, 1947 (24 of 1947).

127. Small Inventions Development Board (Central Board).

128. Small Inventions Development Board (Regional Boards).

129. Standing Committee of the Employees' State Insurance Corporation.

130. Standing Commission for Scientific & Technical Terminology.

131. Tariff Commission, established under section 3 of the Tariff Commission Act, 1951 (50 of 1951).

132. Textiles Committee, Bombay, established under section 3 of the Textile Committee Act, 1963, (41 of 1963).

133. Tungabhadra Board.

134. Trustees of the Port of Bombay.

135. Trustees of the Port of Madras.

PART II

Statutory and Non-Statutory Bodies under State Governments

Andhra Pradesh

1. Advisory Leather Board.

2. Agricultural Improvement Fund Committee, constituted under section 3 of the Andhra Pradesh (Telengana Area) Hyderabad Agricultural Improvement Fund Act, 1952 (Act No. 45 of 1952).

3. Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Common Good Fund Committee.

3A. Andhra Pradesh State Road Transport Corporation.

4. Cooperative Agricultural and Marketing Development Fund Committee.

5. Executive Committee of Shri Bhadra Chala Sitaramalaya Uddharana Sangham.

6. Handicrafts Advisory Board.

7. Hyderabad Khadi and Village Industries Board, Hyderabad.

8. Livestock Purchasing Committee.

9. Market Committee constituted under section 4 of the Andhra Pradesh (Telengana Area) Agricultural Market Act, 1339F (Act II of 1339F).

10. Market Committee constituted under section 4 of the Madras Commercial Crops Markets Act, 1933 (Madras Act 20 of 1933).

11. Regional Advisory Boards for pile carpets and lace goods Industries.

12. Regional Transport Authorities for the Districts of Krishna, Guntur, West Godavari, East Godavari, Nellore, Chittoor, Cuddapah, Ananta-Pur, Kurnool, Visakhapatnam, Srikakulam, Hyderabad, Medak, Adilabad, Karimnagar, Khamam, Mahboobnagar, Nalgonda, Nizamabad and Warrangal.

13. State Managing Committee for the Special Fund for Reconstruction and Rehabilitation of ex-servicemen.

14. State Transport Authority.

Assam

1. Adhi Conciliation Boards constituted under section 2A of the Assam Adhiars Protection and Regulation Act, 1948 (Assam Act 12 of 1948).

2. Advisory Council under the Assam Maintenance of Public Order Act, 1947 (Assam Act 5 of 1947).

3. Advisory Council under the Assam Maintenance of Public Order (Autonomous Districts) Act, 1953 (Assam Act 16 of 1953).

4. Assam Evacuee Property Management Committee constituted under section 12 of the Assam Evacuee Property Act, 1951 (Assam Act 11 of 1951).

5. Assam Khadi and Village Industries Board.

6. Assam Small Industries Development Corporation Limited.

7. Assam State Electricity Board.

8. Assam Text Book Committee.

9. Board of Directors, Assam Financial Corporation.

10. Board of Examiners for Boilers Attendants.

11. Cottage Industries Loan Board.

12. Law Commission.

13. Small Scale Industries and Handicrafts Advisory Board of Assam.

14. State Evaluation and Implementation Committee.

Bihar

1. Advisory Board under the Bihar Maintenance of Public Order Act, 1949 (Bihar Act 3 of 1950).

2. Bihar State Board of Religious Trusts.

3. Bihar Subai Majlis Awqaf.

4. Bodh Gaya Temple Advisory Committee constituted under section 5 of the Bodh Gaya Temple Act, 1949 (Bihar Act 17 of 1949).

5. Bodh Gaya Temple Management Committee, constituted under section 3 of the Bodh Gaya Temple Act, 1949 (Bihar Act 17 of 1949).

6. Mining Board for Coal Mines.

7. Regional Transfer Authorities of South Bihar, North Bihar, East Bihar and Chhota Nagpur.

8. State Transport Authority.

9. Text Book and Education Literature Committee.

Gujarat

1. Allocation Committee (Allopathic) under the Employees' State Insurance Scheme.

2. Allocation Committee (Ayurvedic) under the Employees' State Insurance Scheme.

3. Gujarat Housing Board constituted under section 3 of the Gujarat Housing Board Act, 1961 (Gujarat Act 28 of 1961).

4. Gujarat State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 (54 of 1948).

5. Gujarat State Electricity Consultative Council constituted under section 16 of the Electricity (Supply) Act, 1948 (54 of 1948).

6. Medical Services Committee under the Employees' State Insurance Scheme.

7. Pharmaceutical Committee under the Employees' State Insurance Scheme.

8. Regional Transport Authorities, Ahmedabad, Rajkot and Baroda.

9. State Transport Authority.

Haryana

1. Board of Industries.

2. Committee constituted under rule 9 of the Punjab Security of Land Tenure Rules, 1956.

3. District Loan Advisory Committee.

4. Punjab Nurses Registration Council constituted under section 3 of the Punjab Nurses Registration Act, 1932 (Punjab Act 1 of 1932).

5. Punjab State National Workers (Relief Rehabilitation) Board.

6. Regional Transport Authority, Ambala.

7. State Agricultural Marketing Board constituted under section 3 of the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act 23 of 1961).

8. State Transport Authority, Haryana.

Himachal Pradesh

State Council for Training in Vocational Trades.

Jammu and Kashmir

1. Board of Industries.

2. Forestry Committee.

3. Jammu and Kashmir Handloom Board.

4. Small Scale Industries and Handicrafts Boards.

Kerala

1. Administration Committee for Coir Purchase Scheme.

2. Board of Examiners appointed under rule 8 of the Travancore-Cochin Boiler Attendants Rules, 1954.

3. Cochin Town Planning Trust.

4. Kerala State Coir Corporation Limited.

5. Malabar Market Committee constituted under section 4A of the Madras Commercial Crops Markets Act, 1933 (Madras Act 20 of 1933).

6. Management Committee of Institutions under Welfare Programme, Kerala.

7. Panel of Assessors constituted under rule 63 of the Travancore-Cochin Boiler Attendants Rules, 1954.

8. Panel of Assessors constituted under the Travancore-Cochin Economiser Rules, 1956.

9. Regional Transport Authority, Kerala.

10. Tapioca Market Expansion Board.

Madhya Pradesh

1. Board of Secondary Education, Madhya Pradesh.

2. Madhya Pradesh Housing Board constituted under section 3 of the Madhya Pradesh Housing Board Act, 1950 (Madhya Pradesh Act 43 of 1950).

3. Mahakoshal Housing Board.

4. Muslim Wakfs Board, Bhopal.

5. Muslim Wakfs Board, Gwalior.

6. Pachamarhi Development Committee.

7. Regional Transport Authorities.

8. State Council for Training in Vocational Trades.

9. State Transport Authority.

Maharashtra

1. Ad hoc Hindi Board.

2. Allocation Committee (Allopathic) under the Employees' State Insurance Scheme.

3. Allocation Committee (Ayurvedic) under the Employees' State Insurance Scheme.

4. Board of Communications.

5. Board to conduct over-all supervision of the business and affairs of the Narsinggiriji Mills, Sholapur.

6. Board of Examiners for the State of Maharashtra.

7. District and Divisional Selection Boards, Maharashtra.

8. Koyna Control Board.

9. Maharashtra Housing Board constituted under section 3 of the Bombay Housing Board Act, 1948 (69 of 1948).

10. Maharashtra Industrial Development Corporation.

11. Maharashtra State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 (54 of 1948).

12. Maharashtra State Electricity Consultative Council constituted under section 16 of the Electricity (Supply) Act, 1948 (54 of 1948).

12A. Maharashtra State Khadi and Village Industries Board.

13. Marathi and Gujarati Text Books Committee.

14. Medical Service Committee under the Employees' State Insurance Scheme.

15. Pharmaceutical Committee (Allopathic) under the Employees' State Insurance Scheme.

16. Pharmaceutical Committee (Ayurvedic) under the Employees State Insurance Scheme.

17. Redi Development Committee.

18. Regional Transport Authorities for Aurangabad, Bombay, Nagpur, Poona and Thana.

19. School Book Committee.

20. State Council for Training and Vocational Trades.

21. State Transport Authority.

22. Vidarbha Housing Board constituted under section 3 of the Madhya Pradesh Housing Board Act, 1950 (43 of 1950).

23. Vidarbha Housing Board.

24. Wage Board for the Cotton Textile Industry excluding the Vidarbha Region.

25. Wage Board for the Textile Industry.

26. Wage Board for the Cotton Textile Industry for Vidarbha Region.

27. Wage Board for the Sugar Industry.

Mysore

1. Board of Management, Kolar Gold Mining Undertakings.

2. Board of Management, Mysore Iron and Steel Works, Bhadravathi.

3. Board of Management of Industrial concerns.

4. Board of Studies for Samskrita Education.

5. Central Board of Technical Examinations, Bangalore.

6. Handicrafts Cooperative Advisory Committee.

7. State Board of Technical Education and Training.

Orissa

1. Appeal Committee under the Board of Secondary Education.

2. Board of Directors of the Orissa State Warehousing Corporation.

3. Board of Secondary Education.

4. Orissa Board of Communications and Transport.

5. Regional Transport Authority, constituted under section 44 of the Motor Vehicles Act, 1939 (4 of 1939).

6. Regulated Market Committee.

7. State Council of Technical Education and Training.

8. State Transport Authority constituted under section 44 of the Motor Vehicles Act, 1939 (4 of 1939).

Punjab

1. Board of Industries, Punjab.

2. Committee constituted under rule 9 of the Punjab Security of Land Tenure Rules, 1956.

3. District Loan Advisory Committee.

4. Punjab Nurses Registration Council constituted under section 3 of the Punjab Nurses Registration Act, 1932 (Punjab Act 1 of 1932).

5. Punjab State National Workers (Relief and Rehabilitation) Board.

6. Regional Transport Authorities for Jullundur and Patiala Divisions.

7. State Agricultural Marketing Board constituted under section 3 of the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act 23 of 1961).

8. State Marketing Board constituted under section 3 of the Patiala Agricultural Produce Markets Act, 2004 (XIV of 2004).

9. State Transport Authority.

Rajasthan

1. Appellant Authority, Transport.

2. City Improvement Trust, Kota, constituted under the City of Kota Improvement Act, 1946.

3. Excise Appellate Board, Ajmer.

4. High Power Committee to guide road transport system.

4A. Rajasthan Financial Corporation.

4B. Rajasthan Khadi and Village Industries Board.

5. Rajasthan State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 (54 of 1948).

6. Regional Transport Authorities, Jaipur, Udaipur, Kota, Bikaner and Jodhpur.

7. Standing Committee to investigate and advise the Government for grant of aid to the political sufferers.

8. State Transport Authority.

9. Technical Committee to function as the Board of Examiners for conducting the Examination of Electrical Supervisors and Wiremen for the grant of certificates of competency and permits.

10. Urban Improvement Board, Jaipur.

Tamil Nadu (Madras)

1. Committee of Management for Handicrafts Emporium, Madurai.

2. Landing and Shipping Fees Committees for Minor Ports.

3. Local Committee constituted under regulation 10-A of the Employees' State Insurance (General) Regulations, 1950.

4. Madras Board of Transport.

5. Tamil Nadu State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 (54 of 1948).

6. Tamil Nadu State Electricity Consultative Council constituted under section 16 of the Electricity (Supply) Act, 1948 (54 of 1948).

7. Madras State Housing Board.

8. Tamil Nadu State Wakf Board constituted under section 3 of the Wakf Act, 1954 (29 of 1954).

9. Port Conservancy Boards.

10. Port Trust Boards of Minor Ports.

11. Small Scale Industries and Handicrafts Board.

12. State Board of Technical Education and Training.

13. State Council for Training in Vocational Trades.

14. State Evaluation and Implementation Committee.

15. Technological Diploma Examination Board, Madras.

16. Text Book Committee.

Uttar Pradesh

1. Boards of Advisors for Revision of District Gazetteers.

2. Board of Ayurvedic and Unani Tibbi systems of Medicine.

3. Government Cement Factory Board.

4. Local Committees for Agra, Kanpur, Lucknow and Saharanpur appointed under section 25 of the Employees' State Insurance Act, 1948 (34 of 1948).

5. State Loans and Grants Committees, Uttar Pradesh.

6. Sub-Committee to select books for Educational Expansion Department.

7. U.P. Sugar and Power Alocohol and Labour Housing Board constituted under section 10 of the Uttar Pradesh Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950 (16 of 1951).

West Bengal

1. Board of Industries.

2. Board of Review of Publications, West Bengal.

3. Distribution Committee of Chanks.

4. Licensing Board constituted under the regulations made under rule 45 of the Indian Electricity Rules, 1956.

5. Managing Committee of the Government Sales Emporium, West Bengal.

6. State Law Commission, West Bengal.

7. State Sales Emporia Committee of the Government Sales Emporia at Calcutta and Howrah.

8. West Bengal Housing Board constituted under the West Bengal Development Corporation Act, 1954 (14 of 1955).

BODIES UNDER UNION TERRITORIES

Andaman and Nicobar Islands

1. Layout Committee.

2. Low Income Group Housing Committee.

Dadra and Nagar Haveli

State Transport Authority for the Union Territory.

Delhi

1. Board of Ayurvedic and Unani Systems of Medicines.

2. Board of Examiners for Boilers Attendants.

3. Board of Examiners for Electricians, etc.

4. Delhi Development Authority, constituted under section 3 of the Delhi Development Act, 1957 (61 of 1957).

5. Delhi State Thermal Project Control Board.

6. Grain Purchase Committee.

7. Shia Majlis-e-Aukaf.

8. State Transport Authority, Delhi.

9. Sunnin Majlis-e-Aukaf.

10. Territorial Council for Training in Vocational Trades.

Goa, Daman and Diu

1. Goa Shipyard Limited.

2. Iron Ore Mines Labour Welfare Fund Advisory Committee for Goa, Daman and Diu.

3. Managing Committee for the Management and Administration of Special Fund for Reconstruction and Rehabilitation of ex-servicemen, Goa, Daman and Diu.

4. State Transport Authority. Goa.

Tripura

1. Industrial Advisory Board, Tripura.

2. Industries Committee, Tripura.

3. Local Council for Training in Vocational Trades, Tripura.".

ANNEXURE I

Statutory or Non-statutory Bodies included in the Schedule to the Parliament (Prevention of Disqualification) Act, 1959 (10 of 1959) which are required to be deleted or substituted by the Operation of Law or on the Recommendation of the Ministries/Departments of the Government of India

Sl. No.	Statutory or non-statutory bodies as included in the Schedule to the Act	How subsequently affected		
		Deleted	Substituted	Reasons for such deletion or substitution
1	2	3	4	5
	Bodies under the Central Government :			
1.	Bhakra Control Board	..	Bhakra Management Board constituted under section 79 of the Punjab Reorganisation Act, 1966 (31 of 1966)	The Bhakra Control Board has since been re-constituted as the Bhakra Management Board w.e.f. 1-11-1966 under section 79 of the Punjab Reorganisation Act, 1966 (31 of 1966)
1A.	Board of Directors of the Export Risks Insurance Corporation Limited.	..	Board of Directors of the Export Credit and Guarantee Corporation, Bombay.	The Corporation has been renamed as the Export Credit and Guarantee Corporation, Bombay *vide* O.M. No. 11(2)/C-II/68, dated the 16th February, 1968, from the Lok Sabha Secretariat conveying the intimation to this effec from the late Ministry of Commerce.
2	Central Warehousing Corporation established under section 17 of the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (28 of 1956)	..	Central Warehousing Corporation established under section 3 of the Warehousing Corporations Act, 1962 (58 of 1962)	The Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (28 of 1956) has been repealed, (In so far as it was not repealed by the National Cooperative Development Corporations Act, 1962, by the Warehousing Corporation Act, 1962 (58 of 1962). The new body corporate is also called the Central Warehousing Corporation.
3.	Compnay Law Advisory Commission constituted under section 410 of the Companies Act, 1956. (1 of 1956)	Deleted. ..		"Section 410 has been introduced by the Companies (Amendment) Act, 1965, whereby the Central Government has been enpowered to constitute an advisory committee of not more

			than five persons called the Company Law Advisory Committee. It has no permanent Chairman, one being appointed to conduct each meeting. In view of this, I suggest that we may avail of the opportunity afforded by the proposed amendment of the Parliament (Prevention of Disqualification) Act to delete this entry from Part I of the Schedule thereto," *vide* late Ministry of Industrial Development and Company Affairs (Dept. of Company Affairs) D.O. No. 13/3/69- CI V dt. the 28th August 1969.
4.	Cotton Textile Fund Committee constituted under the Textile Funds Ordinance, 1944 (34 of 1944)	..	Textile Committee constituted under section 3 of the Textiles Committee Act, 1963 (41 of 1963)	The Cotton Textiles Fund Ordinance, 1944 (34 of, 1944), has been repeated and replaced by the Textiles Committee Act, 1963 (41 of 1963). The new body corporate is called the Textiles Committee.
5.	Indian Central Coconut Committee constituted under section 4 of the Indian Coconut Committee Act, 1944 (10 of 1944).	Deleted. ..		The Committee has since been dissolved under the notification of the Government of India in the Ministry of Food Agriculture, Comunity Development and Cooperation (Department of Agriculture I C.A.R. No. S.O. 883, dt. 18 3-1966.
6.	Indian Central Cotton Committee constituted under section 4 of the Indian Cotton Cess Act. 1923 (14 of 1923).	Deleted. ..		The Com ittee has since been dissolved under the notification of the Govt. of India in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture)—I.C.A R. No. S.O. 882, dt. 18-3-1966.
7.	Indian Central Oil Seeds Committee constituted under section 4 of the Indian Oil Seeds Committee Act, 1946 (9 of 1946).	Deleted. ..		The Committee has since been dissolved under the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture)—I.C.A.R. No. S.O. 884, dated the 18th March, 1966.

1	2	3	4	5
8.	Indian Lac Cess Committee constituted under section 4 of the Indian Lac Cess Act, 1930 (24 of 1930)	Deleted.	..	The Committee has since been dissolved under the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Co-operation)—I.C.A. R. No. S.O. 881. dated the 18th March, 1966.
9.	National Co-operative Development and Warehousing Board established under section 3 of the Agricultural Produce (Development and Warehousing Corporation Act, 1956 (28 of 1956).	..	National Co-operative Development Corporation constituted under sec. 3 of the National Co-operative Development Corporation Act, 1962 (26 of 1962)	The Agricultural Produce (Development and Warehousing) Corporation Act, 1956, has been repealed and replaced by the National Co-operative Development Corporation Act, 1962. (26 of 1962).
10.	Rehabilitation Finance Administration constituted under Section 3 of the Rehabilitation Finance Administration Act, 1948 (12 of 1948)	Deleted.	..	The Rehabilitation Finance Administration included in Part II of the Schedule has been dissolved with effect from the 31st December, 1960 vide Ministry of Finance (Dept. of Economic Affairs) D.O. No. F.2 (28)—Corp/69 dated the 3rd May, 1969.
11.	Tea Board constituted under section 4 of the Tea Act, 1953 (29 of 1953)	..	..	As recommended by the Joint Committee on Offices of Profit of the Fourth Lok Sabha in its Fifth Report, paragraph 11.
12.	Trustees or Commissioners of any major part as defined in the Indian Ports Act, 1908 (15 of 1908), other than the port of Calcutta, Bombay or Madras.	.	Substituted	This implements the recommendations of the Joint Committee in respect of the major ports to which the provisions of the Major Ports Act, 1963 (18 of 1963) apply.
13.	Committee for the allotment of land in the township of Gandhidham.	Deleted.		According to the Ministry of Shipping & Transport, there is no committee now of this name appointed by the Government of India. That Ministry has accordingly recommended the exclusion of this Committee from the Bill.
14.	Air Transport Council constituted under section 30 of the Air Corporations Act, 1953 (27 of 1953)	Deleted.		The Council had ceased to function long ago.
15	Export Promotion Committee for films.	Deleted,	..	There is no Export Promotion Committee for films at present, vide

1	2	3	4	5
				O.M. No. H-11018/28/70-Parl. dated May 24, 1971 from the Ministry of Foreign Trade.
	Bodies under the State Governments :			
1.	Saurashtra Housing Board constituted under section 3 of the Saurashtra Housing Board Act, 1954.	Gujarat Housing Board constituted under section 3 of the Gujarat Housing Board Act, 1961 (28 of 1961).	..	The Saurashtra Housing Board Act, 1954, has been repealed by the Gujarat Housing Board Act, 1961 (28 of 1961). The new body corporate is called the Gujarat Housing Board.
2.	Committee to select Books for study for S.S.L.C. Examination.	Deleted,	..	The Committee is no longer in existence.
3.	State Board of Communications.	Deleted.	..	The Board is no longer in existence.
4.	Area Committee for Hindu Religious and Charitable Endowments constituted under sec. 12 of the Madras Hindu Religious and Charitable Endowments Act, 1951.	Deleted.	..	The Act stands repealed w.e.f. 16-10-1968.
	Bodies under the Union Territories:			
1.	Delhi Electricity Power Control Board constituted under section 5 of the Bombay Electricity (Special Powers) Act, 1946 (Bombay Act 20 of 1946) as applied to Delhi.	Deleted.	..	The Board no longer exists and the functions in this behalf are now performed (since 7th April, 1958) by the Delhi Electricity Supply Committee of the Municipal Corporation, Delhi under the Delhi Municipal Corporation Act, 1957 (66 of 1957).
2.	Delhi State Electricity Council constituted under section 16 of the Electricity (Supply) Act, 1948 (54 of 1948).	Deleted.	..	The Council no longer exists and the functions in this behalf are performed by the Delhi Electricity Supply Committee of the Municipal Corporation, Delhi under the Delhi Municipal Corporation Act, 1957 (66 of 1957).

ANNEXURE II

Recommendations of the Joint Committee on Offices of Profit constituted by the Second Lok Sabha, Third Lok Sabha and the Fourth Lok Sabha which have not been included in the draft Parliament (Prevention of Disqualification) Amendment Bill, 1971 and the reasons for such non-inclusion.

1. The Joint Committee on Offices of Profit of the Second Lok Sabha in its Second Report recommended that the Board of Directors of Oil India (P) Ltd. may be included in Part I of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959 *vide* para 6 read with Appendix II of the Report. However, the question was later reconsidered by the Joint Committee on Offices of Profit of the Third Lok Sabha, which recommended that the composition, functions and character of the Board of Directors of Oil India (P) Ltd. are such that the Chairmanship or Directorship thereof ought not to disqualify, *vide* para. 5 of the Report.

2. *Executive Board of the Rajasthan Lalit Kala Akademi, Jaipur.*

3. *General Council of the Rajasthan Lalit Kala Akademi, Jaipur.*

4. *Rajasthan State Sports Council, Jaipur.*

5. *Standing Committee of the Rajasthan State Sports Council.*

The Joint Committee on Offices of Profit of the Second Lok Sabha in its Second Report recommended the above four items to be incorporated under 'Rajasthan' in Part II of the Schedule to the Act *vide* Appendix II. However, the Joint Committee of the Third Lok Sabha in its First Report, observed that in the case of bodies like sports Councils, Sahitya Akademies and Young Welfare Boards a more liberal view may be taken and this disqualification ought not to attach to the offices of Chairman of such bodies. Perhaps it was in view of the above observation of the Joint Committee that the four items above specified have not been included in the draft Bill, *vide* para 23 of the Report.

6. *Board of Governors, National Institute of Sports*:

The Joint Committee on Offices of Profit of the Second Lok Sabha recommended in its Fourth Report that the Board of Governors, National Institute of Sports may be included in Part II of the Schedule to the Act, *vide* para 7 read with Appendix II of the Report. But the Joint Committee on Offices of Profit of the Third Lok Sabha in its first Report recommended that the Chairman and Secretary of the Board of Governors of the National Institute of Sports might be exempted from disqualification, *vide* para 23 of the Report. Accordingly this item has not been included in the Draft Bill.

7. *Art Purchase Committee (Punjab)*:

The Joint Committee on Offices of Profit of the Second Lok Sabha in its Fifth Report recommended that the above Committee may be included

in Part I of the Schedule to the Act. This was earlier included in the Draft Bill, but was later omitted as the Committee has since ceased to function.

8. *Small Committee for distribution of Copper quota Jagadhari, Punjab (Haryana)* was recommended to be incorporated in Part II of the Schedule to the Act, *vide* Joint Committee on Offices of Profit of the Second Lok Sabha, Fifth Report, Appendix II. It was later omitted at the instance of Government of Haryana|Punjab.

9. *Board of Directors of Janpath Hotels Ltd.:*

The Joint Committee on Offices of Profit of the Fourth Lok Sabha in its Third Report recommended that the Directorship of the Board of Directors of Janpath Hotels Ltd. ought to disqualify. The Janpath Hotels Ltd. has since been amalgamated with the India Tourism Development Corporation Ltd. with effect from March 29, 1970, *vide* the notification of the Government of India in the late Ministry of Industrial Development, Internal Trade and Company Affairs (Department of Company Affairs) No. S.O. 1199 dated March 26, 1970. It has, therefore, not been possible to give effect to this recommendation of the Joint Committee.

10. *High-powered Committee on security and Policing on Railways*:

The Joint Committee on Offices of Profit of the Fourth Lok Sabha in its Third Report recommended that one—non official member (Shri B. N. Lahri, IP Retd.) is getting honorarium which is more than the 'compensatory allowance' and as such he ought not to be exempted from disqualification.

It has not been possible to give effect to this recommendation of the Joint Committee as it is not within the scope of this Bill to include disqualification on account of membership of any statutory or non-statutory body. Moreover the Committee has ceased to exist w.e.f. the 10th October, 1968 after it submitted its report.

11. *Aeronautics Committee*:

The Joint Committee on offices of Profit of the Fourth Lok Sabha in its Fourth Report recommended that the non-official member (Shri S. S. Khera) is getting remuneration which is more than the 'compensatory allowance' and as such he ought not to be exempted from disqualification.

It has not been possible to give effect to this recommendation of the Joint Committee as it is not within the scope of this Bill to include disqualification on account of memberssip of any statutory or non-statutory body. Moreover, the Aeronautics Committee has since ceased to exist.

12. *Planning Board for the Hill Areas of Assam*:

The Joint Committee on Offices of Profit of the Fourth Lok Sabha in its Fourth Report recommended that the non-official members are getting honorarium of Rs. 100/- per month which is not permissible under section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959, and as such members of the Board ought not to be exempted from disqualification. It is not possible to give effect to this recommendation of the Joint Committee as it is not within the scope of this Bill to include disqualification on account of membership of any statutory or non-statutory body.

13. *Market Committee, Tamil Nadu.*

14. *Maharashtra State Dental Council.*

15. *Kerala State Road Transport Corporation, Kerala.*

16. *State Transport Authority, Kerala.*

The Joint Committee on Offices of Profit of the Fourth Lok Sabha in its Sixth Report recommended that the membership of the bodies mentioned above ought to disqualify. It has not been possible to give effect to the recommendations of the Joint Committee in respect of the above bodies as it is not within the scope of this Bill to include disqualification on account of membership of any statutory or non-statutory body.

17. *Advisory Board of Social Welfare*:

The Joint Committee on Offices of Profit of the Second Lok Sabha in its Second Report recommended that both Chairman and Secretary of the Board aforesaid should not be exempted from disqualification and that it should be included in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959, *vide* para 7, read with Appendix II of the Report. It has not been possible to give effect to the recommendation of the Joint Committee as the Department of Social Welfare do not have under its administrative control any body styled as 'Advisory Board of Social Welfare'.

18. *Board of Directors of the Indian Refineries (Pvt.) Ltd.*

19. *Board of Directors of the Indian Oil Company Ltd., Bombay.*

The Joint Committee on Offices of Profit of the second Lok Sabha in its Second Report recommended that the Chairmen of the bodies mentioned above should not be exempted from disqualification and that they should be included in Part I of the Schedule to the Act *vide* paragraph 6 and Appendix I of the Report. It has not been posible to give effect to the recommendation of the Joint Committee in respect of above bodies as according to the administrative Ministry the said bodies have since been merged and the name of the new body is "The Indian Oil Corporation Ltd."

20. *National Advisory Committee to review the working of National Scholarship Scheme*:

Joint Committee on Offices of Profit of Third Lok Sabha in its fourth Report recommended that the Chairmanship, Secretaryship and Membership of the Committee aforesaid ought not to be exempted for disqualification *vide* paragraph 10 and Appendix I of the Report. It has, however not been possible to give effect to this recommendation as the said Committee was wound up in May 1965 and is no longer in existence.

21. *Board of Directors of Travancore Minerals (Pvt.) Ltd.*:

The Joint Committee on Offices of Profit of the Second Lok Sabha in its Second Report recommended that the Chairman of the above Board should not be exempted from disqualification and that it should be included in Part I of the Schedule to the Act vide para 6 and Appendix I of the Report. It has, however not been possible to give effect to this recommendation as the said Board went into liquidation in 1965.

22. *Board of Directors of Ashoka Hotels Ltd.*

The Joint Committee on Offices of Profit of the Second Lok Sabha in its Second Report recommended that the Chairman of the above Board should not be exempted from disqualification and that should be included in Part I of the Schedule to the Act *vide* para 6 and Appendix 1 of the Report. The Ashoka Hotels Ltd. have since been amalgamated with the India Tourism Development Corporation Ltd. with effect from the 29th March, 1970 *vide* the notification of the Government of India in the late Ministry of Industrial Development, Internal Trade and Company Affairs (Department of Company Affairs) No. S. O. 1199, dated the 26th March, 1970. It has therefore, not been possible to give effect to this recommendation of the Joint Committee.

APPENDICES

APPENDIX I

(*Vide* para 3 of the Report)

Ministry of Law and Justice (Legislative Department) O.M. No. F. IT (3)|62—Leg—II dated the 22nd July, 1971

SUBJECT: Recommendations contained in the Report of the Joint Committee on Offices of Profit—Implementation of.

The undersigned is directed to say that the Joint Committee on Offices of Profit presented five Reports during the term of the Second Lok Sabha, five Reports during the term of the Third Lok Sabha and seven Reports during the term of Fourth Lok Sabha. A draft Bill for implementing the recommendations contained in the above mentioned 17 Reports has been prepared by this Ministry.

2. With the commencement of the Fifth Lok Sabha, a new Joint Committee on the Offices of the Profit has been constituted. It has been decided that the present Joint Committee may be consulted before the draft of the legislation for implementation of the 17 Reports is finalised.

3. A copy of the draft Bill prepared by this Ministry is enclosed. clause 2(a) of the Bill seeks, on the one hand to combine the existing entries in Part I and Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959 into one part "so that the chairman and secretaries of all the bodies enumerated therein are excluded from exemption from disqualifications", and it seeks on the other hand to bring the office of director of certain statutory and non-statutory bodies within the ambit of disqualification *vide* First Report of the Joint Committee (Third Lok Sabha), Third, Fourth and Fifth Reports of the Joint Committee (Third Lok Sabha) and First to Seventh Reports of the Joint Committee (Fourth Lok Sabha). The new Schedule proposed to be substituted under clause 3 of the Bill has been drawn up on that basis, and it incorporates various other entries for purposes of disqualification Joint Committee (Fourth Lok Sabha). The new Schedule proposed to be paragraph 1 above. The amendment proposed in clause 2(b) of the Bill is only of a consequential nature.

4. Attention may also be invited to a standing term of reference of the Joint Committee which reads as follows:—

> "to examine the composition and character of all existing 'committees' and all 'committees' that may hereafter be constituted, membership of which may disqualify a person for being chosen as, and for being, a member of either House of Parliament under article 102 of the Constitution;".

In accordance with the said term of reference, while recommendations have been made by the Joint Committee in respect of the Committees or bodies that have been constituted after the enactment of the Parliament (Prevention of Disqualification) Act, 1959, there is only one recommendation contained in paragraph 11 of the Fifth Report of the Joint Commit-

tee (Fourth Lok Sabha) for the omission of the entry relating to "Tea Board constituted under section 4 of the Tea Act, 1953", from Part II of the existing Schedule to the Act. It appears, however, as a result of the comments received from various Ministries and Departments of the Government of India and the State Governments that several other statutory or non-statutory bodies included in the Schedule have either been reconstituted or ceased to exist. Annexure I to the draft Bill contains a statement of such statutory or non-statutory bodies included in the Schedule to the Parliament (Prevention of Disqualification) Act, 1959 (10 of 1959) which are required to be deleted or substituted by the operation of the law or on the recommendation of the Ministries|Departments of the Government of India.

5. A reference is also invited to another recommendation contained in the First Report of the Joint Committee (Third Lok Sabha) in which the Committee recommended that a new Part "may be added in the Schedule to the Act wherein those bodies may be specified whose secretaries alone are not exempted from disqualification". The Committee has observed that normally "secretary has to perform duties which are generally onerous and of executive nature", and that it is not proper "for a Member of Parliament to work as Secretary under the direction of a person who generally in such cases is an official". If this recommendation has to be implemented, it may be necessary for the Joint Committee to enumerate, after due scrutiny in accordance with its terms of reference, the various bodies secretary-ship of which should entail disqualification. Apart from this, annexure II contains a statement regarding the recommendations of the Joint Committee on Offices of Profit (Second Lok Sabha, Third Lok Sabha and the Fourth Lok Sabha) which have not been included in the draft Parliament (Prevention of Disqualification) Amendment Bill, 1971 and the reasons for such non-inclusion.

6. It is requested that the proposals of this Ministry as contained in the draft Bill may kindly be placed before the Joint Committee on Offices of Profit for their consideration and report.

7. It is also requested that, if there is no objection, the Joint Committee may kindly be requested to furnish its Report in the matter within a period of six months.

Sd|- N. D. P. NAMBOODIRIPAD,
Joint Secretary and Legislative Counsel.

APPENDIX II

(*vide* para 5 of the Report)

JOINT COMMITTEE ON OFFICES OF PROFIT

SUBJECT : *Draft Parliament (Prevention of Disqualification) Amendment Bill, 1971.*

Points on which clarifications were sought from the Ministry of Law.	Ministry of Law's reply
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(1) (a) It may please be confirmed that under Clause 2(a) of the draft Bill, Chairmanship, Secretaryship and directorship of all the bodies enumerated in the Schedule to the draft Bill are proposed to be excluded from exemption from disqualification.	(1) (a) It is confirmed that under clause 2(a) of the draft Bill Chairmanship, Secretaryship and Directorship of all the bodies enumerated in the Schedule to the draft Bill are proposed to be excluded from exemption from disqualification. The amendment has been drafted disjunctively in order to cover the case of a body or undertaking in which only the office of a chairman or of a secretary or of a director is provided.
(1) (b) According to the recommendations of the Joint Committee on Offices of Profit made from time to time, the 'Committees' etc. recommended for inclusion in the Schedule fall broadly in the following three categories:— (i) 'Committees' etc. recommended for inclusion in Part I of the Schedule (i.e. the 'Committees', etc., Chairmanship of which ought not to be exempted from disqualification); (ii) 'Committees', etc. recommended for inclusion in Part II of the Schedule(i.e., the 'Committees', etc., Chairmanship and Secretaryship of which ought not to be exempted from disqualification) ; and (iii) 'Committee', etc. even the membership of which ought not to be exempted from disqualification. In para 18 of their first Report, Third Lok Sabha, the Joint Committee on Offices of Profit had recommended that the existing Parts I and II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959 may be combined into one Part. In paras 6 to 10 of their Third Report, Second Lok Sabha, the Joint Committee had recommended that the act should be amended so as to have another part to the Schedule which should specify the bodies even the membership of which ought not to be exempted from disqualification. Thus, to give proper effect to the aforesaid recommendations of the Joint Committee on Offices of Profit, there should have been	(1)(b) In its Third Report (Second Lok Sabha) the Joint Committee had recommended that a new part may be added in the Schedule to the Act which would enumerate the bodies the membership of which would disqualify person from being chosen or for being a Member of Parliament. In its Twenty-third sitting held on 1st Setember, 1961, the Committee "reviewed the recommendation made by them in their Third Report regarding the inclusion of a Third Part to the Schedule to the Parliament (Prevention o Disqualification) Act, 1959, in which bodies whose membership would disqualify a person for being chosen as or for being a Member of either House of Parliament, would be enumerated. After some discussion, the Committee came to the conclusion that the Chairman need not move any motion regarding consideration of the recommendation contained in the Third Report, by the House." It may further be pointed out that the principle that Members of Parliament should be associated with public undertakings and other bodies as members where no pecuniary gain is derived, has been duly recognised by Parliament at the time of the enactment of the Parliament (Prevention of Disqualification) Act, 1959. In this connection, it may be recalled that in the Parliament (Prevention of Disqualification) Bill, 1957, as reported by the Joint Committee, the Office of member was included in the second

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either two separate Schedules or two distinct parts of one Schedule—one enumerating the bodies, the Chairmanship and Secretaryship of which ought to be excluded from exemption from disqualification and the other enumerating the bodies even the membership of which ought to be excluded from exemption from disqualification. It is, however. seen that in the Schedule to the draft Bill, no such distinction has been made , and the chairmanship, secretaryship, and membership of all the bodies included therein appear to have been proposed for exclusion from exemption from disqualification. The Ministry of Law & Justice are requested to elucidate the considerations for doing this.	part of sub-clause (1) of clause 3 of the Bill for the purpose of entailing disqualification, but this was dropped by an amendment in the Rajya Sabha which was later agreed to by the Lok Sabha.
(2) In regard to the bodies enumerated in Annexure I (copy enclosed), the Ministry of Law & Justice have stated as follows:— "It has not been possible to give effect to the recommendations of the Joint Committee in respect of these bodies as it is not within the scope of this Bill to include disqualification on account of membership of any statutory or non-statutory body." The Ministry of Law & Justice are requested to elucidate as to how inclusion of disqualification on account of membership of the aforesaid bodies is beyond the scope of the Bill. It may also please be stated whether there is any difficulty, legal or other, in enlarging the scope of the Bill to give effect to the recommendations of the Joint Committee in respect of the bodies listed in the Annexure.	(2) The position has been explained in the comments against para 1(b) above. The question whether membership simplicitor of any undertaking or body should entail disqualification is an important question of policy which as explained above has already been settled by Parliament. Once it is decided as a matter of policy to disassociate the Members of Parliament from being members of any such undertaking, or body, there may not be any difficulty to enlarge the scope of the Bill in the manner proposed.
(3)(a) Annexure II (copy enclosed) enumerates the bodies/offices held where in have been recommended by the Joint Committee for exclusion from exemption from disqualification but which have not been included in the Schedule to the draft Bill. The Ministry of Law have not given any reason for non-inclusion of these bodies in the Schedule to the draft Bill. The same may kindly be given.	(3)(a) and Annexure II : The following comments are offered in respect of the bodies mentioned in Annexure II:— (i) *Cotton Textile Advisory Committee* The Cotton Textile Advisory Committee has been abolished and the fact was communicated to the Lok Sabha Sectt. by the Ministry of Foreign Trade *vide* their Memorandum No. 18/12/69-TEX. A dated 20-1-1971. It is for this reason that this Committee has not been included in the Schedule to the draft Bill. (2) *Board of Directors of Hindustan Aircraft Limited* Attention is invited to entry 15 in Part I of the Schedule to the draft Bill which reads as follows :— "Board of Directors of Hindustan Aeronautics Limited, Bangalore". The change has been made in view of the slight change in the nomenclature of the Board, as suggested by the Ministry of Defence. (3)] *Advisory Board under the Preventive Detention Act, 1950 (Assam).*

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	(4) *Advisory Board under the Preventive Detention Act, 1950 (Bihar).* (5) *Advisory Board constituted for purposes of Preventive Detention Act, 1950 (Bombay).* The Boards at serial Nos. (3)(4) and (5) were constituted under the Preventive Detention Act, 1950. The life of the Act, expired on 31st December, 1969 and as such, the above Boards ceased to exist there after. It is for this reason that these bodies have not been included in the Schedule to the Bill. (6) *Board of Trustees for the Ports of Paradip and Marmugao.* These boards have been constituted under the Major Port Trusts Act, 1963 (38 of 1963). The Act, in the first instance, applied to the major Ports of Cochin, Kandla and Visakhapatnam section 1(3) of the Act empowers the Central Government by notification fin the official Gazette, to apply the provisions of the said Act to such of the major ports (not being the major port of Bombay, Calcutta or Madras) as may be specified in the notification. In view of this provision, it was considered that it would be more appropriate to have a general entry rather than have two separate entries referring to the Board of Trustees for the ports of Paradip and Marmugao (entry 50 in Part I of the Schedule to the draft Bill).
(3)(b) In regard to the Small Committee for distribution of Copper quota, Jagadhri, Punjab (Haryana) which had been recommended by the Joint Committee on Offices of Profit for inclusion in Part II of the Schedule tothe Parliament (Prevention of Disqualification) Act, 1959 *vide* their Fifth Report(Second Lok Sabha—para 7), the Ministry of Law & Justice have stated as follows :— "It was omitted at the instance of Government of Haryana/Punjab." The precise reasons for non-inclusion of the said Committee in the Schedule to the draft Bill may please be given.	(3)(b) The entry regarding Small Committee for distribution of Copper quota Jagadhri, Punjab (Haryana) is being omitted at the instance of the Government of Haryana/Punjab. In their communication asking for the omission of this entry, the Government of Haryana has merely conveyed its decision to that effect without assigning any reasons therefor.
(4) Annexure III (copy enclosed) enumerates the Boards which are neither included in Parts I and II of the Schedule to the Parliamet (Prevention of Disqualification) Act, 1959 nor were recommended by the Joint Committee on Offices of Profit for such inclusion but which have been included in the Schedule of the draft Bill. The Ministry of Law & Justice are requested to indicate the considerations on which these Boards have been included in the Schedule to the draft Bill.	(4) and Annexure III : The following comments are offered in respect of the bodies mentioned in Annexure III :— (1) *Board of Directors of the Hindustan Aeronautics Ltd., Bangalore.* This is not a new entry, but a slighly modified entry of what had been recommended in the Fourth Report of the Second Lok Sabha. This has already been explained. (2) *Board of Trustees constituted under the Major Port Trusts Act, 1963 (38 of 1963) in respect of the*

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	major ports other than the major ports of Bombay, Calcutta and Madras.
	This is not a new entry, but a substitution for the following entry recommended for inclusion in the Fourth Report of the Fourth Lok Sabha, *viz.*, "Board of Trustees for the Ports of Paradip and Marmugao".
	This has already been explained.
	(3) *State Agricultural Board constituted under section 3 of the Punjab Agricultural Produce Markets Act.*, 1961 (*Punjab Act 23 of 1961*)—*Haryana/Punjab.*
In the Parliament (Prevention of Disqualification) Act of 1959, in part II of the Schedule, the following entry occurs under the head "Punjab":— "State Marketing Board constituted under section 3 of the Patiala Agricultural Produce Markets Act, 2004".	
The Patiala Agricultural Produce Markets Act, 2004 has since been repealed. In view of that, the State Government advised that the said entry in the Act of 1959 may be replaced by the following new entry:— "State Agricultural Marketing Board constituted under section 3 of the Punjab Agricultural Produce Markets Act, 1961".	
This has been included as entry 7 under the heads "Haryana" and "Punjab" in Part II of the Schedule to the draft Bill.	
In view of the fact that the Patiala Agricultural Produce Markets Act, 2004 has been repealed, entry 8 under the head 'Punjab' in Part II of the Schedule to the draft Bill may be treated as cancelled.	

ANNEXURE I

[*Vide* point (2)]

S. No.	Name of 'Committee'	Reference to Joint Committee Report
1.	Planning Board for the Hill Areas of Assam.	Fourth Report of Fourth Lok Sabha—para 15.
2.	Market Committee, Tamil Nadu.	Sixth Report of Fourth Lok Sabha—para 7.
3.	Maharashtra State Dental Council.	Sixth Report of Fourth Lok Sabha—para 8.
4.	Kerala State Road Transport Corporation.	Sixth Report of Fourth Lok Sabha—para 9.
5.	State Transport Authority, Kerala.	Sixth Report of Fourth Lok Sabha—para 10.

ANNEXURE II

[*Vide* point (3) (a)]

Sl. No.	Name of 'Committee'/ Board	Recommendation by the Committee	Reference to Committee's Report.
1.	Cotton Textile Advisory Committee.	For inclusion in Part I of the Schedule to the Parliament (Prevention of Disqualification) Act., 1959.	Second Report of Second Lok Sabha—para 60.
2.	Board of Directors of Hindustan Aircraft Ltd., Bangalore.	Do.	Fourth Report of Second Lok Sabha— Para 6.
3.	Advisory Board under the Preventive Detention Act., 1950 (Assam).	Do.	Do.
4.	Advisory Board under the Preventive Detention Act., 1950 (Bihar).	Do.	Do.
	Advisory Board constituted for the purposes of Preventive Detention Act., 1950 (Bombay)	Do.	First Report of Second Lok Sabha—para 20.
	Board of Trustees for the Ports of Paradip and Marmugao.	Membership of the Board ought to disqualify	Fourth Report of Fourth Lok Sabha—Para 10.

ANNEXURE III

[*Vide* point (4)]

S. No.	Name of the Board
1.	Board of Directors of the Hindustan Aeronautics Ltd, Bangalore.
2.	Board of Trustees constituted under the Major Port Trusts Act, 1963 (38 of 1963) in respect of Major Ports other than the Major Ports of Bombay, Calcutta and Madras.
3.	State Agricultural Board constituted under Section 3 of the Punjab Agricultural Produce Markets Act., 1961. (Punjab Act 23 of 1961)— Haryana/Punjab.

APPENDIX III

(*Vide* para 11 of the Report)

List of Bodies in respect of which JCOP recommended disqualification of only Chairmanship/ Chairmanship and Secretaryship but Directorship of which is also proposed to be disqualified

S. No.	Name of the Body	Recommendation by JCOP for inclusion in Parts I or II of the Schedule to 1959 Act	Reference in the Schedule to the draft Bill
	UNDER CENTRAL GOVERNMENT		
1.	Board of Directors of the Bharat Electronics Ltd.	Part I (Fourth Report—Second Lok Sabha)	S. No. 9
2.	Board of Directors of the Export Credit and Guarantee Corporation, Bombay.	Part I (Fifth Report—Fourth Lok Sabha)	S.N. 11
3.	Board of Directors of the Hindustan Antibiotics Ltd.	Part I (Second Report—Second Lok Sabha)	S. N. 16
4.	Board of Directors of the Hindustan Housing Factory.	Part I (Second Report—Second Lok Sabha)	S. N. 18
5.	Board of Directors of the Hindustan Steel Ltd.	Part II (Fourth Report—Third Lok Sabha)	S. N. 22
6.	Board of Directors of the Indian Rare Earths Ltd.	Part I (Second Report—Second Lok Sabha)	S. N. 24
7.	Board of Directors of the Indian Telephone Industries Ltd., Bangalore.	Part 1 (Second Report—Second Lok Sabha)	S. N. 25
8.	Board of Directors of the Nahan Foundry Private Ltd.	Part I (First Report—Second Lok Sabha)	S. N. 27
9.	Board of Directors of the National Projects Construction Corporation.	Part I (Second Report—Second Lok Sabha)	S. N. 32
10.	Board of Directors of the National Research Development Corporation of India.	Part I (Second Report—Second Lok Sabha)	S. No. 33.
11.	Board of Directors of the Orissa Mining Corporation Ltd.	Part I (Second Report—(Second Lok Sabha).	S.N. 36
12.	Board of Directors of the Praga Tools Corporation Ltd.	Part, I (Second Report—Second Lok Sabha)	S.N. 37
13.	Indian Handicrafts Development Corporation (Private) Ltd.	Part I First Report—Second Lok Sabha)	S. N. 104
14.	Life Insurance Corporation of India .	Part I (Fifth Report—Second Lok Sabha)	S.N. 110
	UNDER STATE GOVERNMENT		
	Mysore		
15.	Board of Management, Kolar Gold Mining Undertakings.	Part I (Second Report—Second Lok Sabha).	S.N. 1.
	Orissa		
16.	Board of Directors of the Orissa Warehousing Corporation.	Part I (Fourth Report—Second (Lok Sabha).	S.N. 2.

APPENDIX IV

(*Vide* para 12 of the Report)

Committees/Boards/Corporations mentioned in Parts I and II of the Schedule to 1959 Act and also included in the Schedule to the draft Bill.

Sl. No.	Name of Committee included in the Schedule to 1959 Act	S. No. in the Schedule to the draft Bill
(1)	(2)	(3)
	PART I	
	Under Central Government	
1.	Air-India International Corporation established under section 3 of the Air Corporations Act, 1953 (27 of 1953) . . .	4
2.	Board of Directors of the Heavy Electricals . . .	13
3.	Board of Directors of the Hindustan Cables Limited . . .	17
4.	Board of Directors of the Hindustan Insecticides Limited. . .	19
5.	Board of Directors of the Hindustan Machine Tools Limited . .	20
6.	Board of Directors of the Hindustan Shipyard Limited . . .	21
7.	Board of Directors of the Hindustan Chemicals Fertilizers Limited	28
8.	Board of Directors of the National Coal Development Corporation (Pvt.) Ltd.	29
9.	Board of Directors of the National Industrial Development Corporation Limited.	30
10.	Board of Directors of the National Instruments Limited . .	31
11.	Board of Directors of the National Small Industries Corporation Limited	34
12.	Board of Directors of the Neyveli Lignite Corporation (Private) Limited.	35
13.	Board of Directors of the Sindri Fertilizers and Chemicals Limited.	39
14.	Board of Directors of the State Trading Corporation of India (Pvt.) Limited.	40
15.	Central Warehousing Corporation established under section 17 of the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (28 of 1956).	57
16.	Coal Board established under section 4 of the Coal Mines (Conservation and Safety) Act, 1952 (12 of 1952).	60
17.	Coal Mines Labour Housing Board constituted under section 6 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947) .	61
18.	Commissioners for the Port of Calcutta.	64
19.	Dock Labour Board, Bombay, established under the Bombay Dock Workers (Regulation of Employment) Scheme, 1956 made under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948)	86
20.	Dock Labour Board, Calcutta, established under the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956, made under the Dock Workers (Regulation of Employment) Act, 1948 9 of 1948).	87

(1)	(2)	(3)
21.	Dock Labour Board, Madras, established under the Madras Dock Workers (Regulation of Employment) Scheme, 1956, made under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948).	88
22.	Forward Markets Commission established under section 3 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952)	98
23.	Indian Air Lines Corporation established under section 3 of the Air Corporations Act, 1953 (27 of 1953)	99
24.	Industrial Finance Corporation of India established under section 3 of the Industrial Finance Corporation Act, 1948 (15 of 1948)	105
25.	Licensing Committee constituted under rule 10 of the Registration and Licensing of Industrial Undertakings Rules, 1952, made under the Industries (Development and Regulation) Act, 1951 (28 of 1951)	109
26.	Mining Boards constituted under section 12 of the Mines Act, 1952 (35 of 1952)	112
27.	Tariff Commission established under section 3 of the Tariff Commission Act, 1951 (50 of 1951).	131
28.	Trustees of the Port of Bombay	134
29.	Trustees of the Port of Madras	135
	Under State Governments/Union Territories	
	Andhra Pradesh	
30.	Agricultural Improvement Fund Committee constituted under section 3 of the Hyderabad Agricultural Improvement Act, 1952	2
31.	Co-operative Agricultural and Marketing Development Fund Committee.	4
32.	Livestock Purchasing Committee.	8
	Assam	
33.	Adhi Conciliation Boards constituted under section 2 A of the Assam Adhiars Protection and Regulation Act, 1948.	1
34.	Assam Evacuee Property Management Committee constituted under section 12 of the Assam Evacuee Property Act, 1951	4
35.	Assam Text Book Committee.	8
	Bihar	
36.	Mining Board for Coal Mines.	6
37.	Text Book and Education Literature Committee.	9
	Bombay	
38.	Allocation Committee (Allopathic) under the Employees' State Insurance Scheme.	S. No. 1(Guj.) S. No. 2(Mah.)
39.	Allocation Committee (Ayurvedic) under the Employees' State Insurance Scheme.	S. No. 2 (Guj.) S. No. 3 (Mah.)
40.	Board to conduct overall supervision of the business and affairs of the Narsinggiriji Mills, Sholapur.	S. No. 5 (Mah.)
41.	Bombay Housing Board constituted under section 3 of the Bombay Housing Board Act, 1948	S. No. 3 (Mah.)
42.	Bombay State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 (54 of 1948).	S. No. 4 (Mah.)
43.	Bombay State Electricity Consultative Council constituted under section 16 of the Electricity (Supply) Act, 1948 (54 of 1948).	S. No. 5 (Mah.)

(1)	(2)	(3)
44.	Medical Service Committee under the Employees' State Insurance Scheme.	S. No. 6 (Guj.) S. No. 14 (Mah.)
45.	Pharmaceutical Committee under the Employees' State Insurance Scheme.	S. No. 7 (Guj.)
46.	Regional Transport Authority for Ahmedabad, Aurangabad, Bombay, Nagpur, Poona, Rajkot and Thana constituted under section 44 of the Motor Vehicles Act, 1939 (4 of 1939).	S. No. 18 (Mah.)
47.	State Transport Authority constituted under section 44 of the Motor Vehicles Act, 1939 (4 of 1939).	S. No. (Guj.) S. No. 21 (Mah.)
48.	Vidarbha Housing Board constituted under section 3 of the Madhya Pradesh Housing Act, 1950.	S. No. 22 (Mah.)
	Kerala	
49.	Board of Examiners appointed under Rule 8 of the Travancore-Cochin Boiler Attendants Rules, 1954.	S. No. 2
50.	Panel of Assessors Constituted under rule 63 of the Travancore-Cochin Boiler Attendants Rules, 1954.	S. No. 7
51.	Panel of Assessors constituted under the Travancore-Cochin Economiser Rules, 1956.	S. No. 8
	Madhya Pradesh	
52.	Madhya Pradesh Housing Board constituted under section 3 of the Madhya Pradesh Housing Board Act, 1950.	
53.	Mahakoshal Housing Board.	3
	Madras	
54.	Landing and Shipping Fees Committees for Minor Ports.	2 (T. Nadu)
55.	Local Committee constituted under regulation 10A of the Employees' State Insurance (General) Regulations, 1950.	3(—Do—)
56.	Madras Board of Transport.	4
57.	Madras State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 (54 of 1948).	5
58.	Madras State Electricity Consultative Council constituted under section 16 of the Electricity (Supply) Act, 1948. (54 of 1948).	6
59.	Port Conservancy Boards.	9
60.	Port Trust Boards of Minor Ports.	10
61.	Text Books Committee	16
	Mysore	
62.	Board of Management, Mysore Iron and Steel Works, Bhadravathi.	2
63.	Board of Management of Industrial Concerns.	3
	Orissa	
64.	Appeal Committee under the Board of Secondary Education.	1
65.	Orissa Board of Communications and Transport.	4
66.	Regional Transport Authority constituted under section 44 of the Motor Vehicles Act, 1939 (4 of 1939).	5
67.	State Transport Authority constituted under section 44 of the Motor Vehicles Act, 1939 (4 of 1939).	8

(1)	(2)	(3)
	Punjab	
68.	Punjab State National Workers (Relief and Rehabilitation) Board.	5 (Har. & Pun.).
	Rajasthan	
69.	City Improvement Trust, Kota constituted under the City of Kota Improvement Act, 1946.	2
70.	Excise Appellate Board, Ajmer.	3
71.	Rajasthan State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 (54 of 1948)	5
72.	Urban Improvement Board, Jaipur.	10
	Uttar Pradesh	
73.	Government Cement Factory Board.	3
74.	Local Committees for Agra, Kanpur, Lucknow and Saharanpur appointed under section 25 of the Employees' State Insurance Act, 1948 (34 of 1948).	4
75.	Sub-Committee to select books for Educational Expansion Department.	6
76.	U.P. Sugar and Power Alcohol and Labour Housing Board constituted under section 10 of the U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950.	7
	West Bengal	
77.	Licensing Board constituted under the regulations made under rule 45 of the Indian Electricity Rules. 1956.	4
78.	West Bengal Housing Board constituted under the West Bengal Development Corporation Act, 1954.	8
	Bodies Under Union Territories	
79.	Delhi Development Authority constituted under section 3 of the Delhi Development Act, 1957 (61 of 1957).	4
	PART II	
	Bodies under the Central Government	
1.	Advisory Committee for the Air-India International Corporation appointed under section 41 of the Air Corporations Act, 1953 (27 of 1953).	1
2.	Advisory Committee for the Indian Airlines Corporation appointed under section 41 of the Air Corporations Act, 1953 (27 of 1953).	2
3.	Central Silk Board constituted under section 4 of the Central Silk Board Act, 1948 (61 of 1948).	55
4.	Coffee Board constituted under section 4 of the Coffee Act, 1942 (7 of 1942).	62
5.	Coir Board constituted under section 4 of the Coir Industry Act, 1953 (45 of 1953).	63
6.	Development Council for Acids and Fertilizers established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	68
7.	Development Council for Alkalis and allied Industries established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	70
8.	Development Council for Bicycles established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951)	72
9.	Development Council for Drugs, Dyes, and Intermediates established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	73

(1)	(2)	(3)
10.	Development Council for Food Processing Industries established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	74
11.	Development Council for Heavy Electrical Engineering Industries established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	75
12.	Development Council for Internal Combustion Engines and Power Driven Pumps established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	76
13.	Development Council for Light Electrical Engineering Industries established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	78
14.	Development Council for Machine Tools estabilshed under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	79
15.	Development Council for Non-ferrous Metals including alloys established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	80
16.	Development Council for oil-based and Plastic Industries established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	81
17.	Development Council for Sugar Industry established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	8 3
18.	Development Council for Textiles made of artificial Silk including artificial Silk Yarn established under section 6 of the Industries (Development and Regulation Act), 1951 (65 of 1951).	84
19.	Development Council for Textiles made of Wool, including woollen yarn, hosiery carpets and druggets established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).	85
20.	Durgah Committee, Ajmer, constituted under section 4 of the Durgah Khawaja Saheb Act, 1955 (36 of 1955).	91
21.	Indian Central Arecanut Committee.	100
22.	Indian Central Jute Committee.	101
23.	Indian Central Sugarcane Committee.	102
24.	Indian Central Tobacco Committee.	103
25.	Rubber Board constituted under section 4 of the Rubber Act, 1947 (24 of 1947)	126
	Bodies under State Governments	
	Andhra Pradesh	
26.	Market Committee constituted under section 4 of the Hyderabad Agricultural Market Act, No. II of 1339 F.	9
27.	Market Committee constituted under Section 4A of the Madras Commercial Crops Markets Act, 1933.	10
	Bihar	
28.	Bihar State Board of Religious Trusts.	2
29.	Bihar Subai Majlis Awqaf.	3
30.	Bodh Gaya Temple Advisory Committee constituted under section 15 of the Bodh Gaya Temple Act, 1949.	4
31.	Bodh Gaya Temple Management Committee constituted under section 3 of the Bodh Gaya Temple Act, 1949.	5

(1)	(2)	(3)
	Kerala	
32.	Administration Committee for Coir purchase Scheme	1
33.	Malabar Market Committee constituted under section 4A of the Madras Commercial Crops Markets Act, 1933.	5
34.	Tapioca Market Expansion Board.	10
	Madras	
35.	Madras State Wakf Board constituted under section 9 of the Wakf Act, 1954 (29 of 1954).	8(T. Nadu)
	Punjab	
36.	State Marketing Board constituted under section 3 of the Patiala Agricultural Produce Markets Act, 2004.	8

APPENDIX V

(*vide* para 15 of the Report)

List of Bodies in the Schedule to the Draft Bill in respect of which the Recommendations of the JCOP in regard to Disqualification of Membership have not been given effect to

Sl. No.	Name of bodies	Sl. No. in the Schedule to the Draft Bill
(1)	(2)	(3)
	Under Central Government	PART I
1.	Agricultural Prices Commission	3
2.	Atomic Energy Commission	5
3.	Central Board of Trustees, Employees' Provident Fund	54
4.	Jury for Jawaharlal Nehru Award for International Understanding.	107
5.	Panel of Agricultural Scientists	116
6.	Panel of the Structural Fabricating Industry	117
7.	Posts and Telegraphs Workshops Board	121
8.	Textiles Committee, Bombay, established under section 3 of the Textiles Committee Act, 1963 (41 of 1963)	132
	Under State Governments	PART II
	Andhra Pradesh	
9.	State Managing Committee for the Special Fund for Reconstruction and Rehabilitation of ex-servicemen	13
	Kerala	
10.	Cochin Town Planning Trust	3
	Madhya Pradesh	
11.	Madhya Pradesh Housing Board constituted under section 3 of the Madhya Pradesh Housing Board Act, 1950 (Madhya Pradesh Act 43of 1950)	2
	Maharashtra	
12.	Board of Examiners for the State of Maharashtra	6
13.	District and Divisional Selection Boards, Maharashtra	7
14.	Maharashtra Housing Board constituted under section 3 of the Bombay Housing Board Act, 1948 (69 of 1948)	9
	Uttar Pradesh	
15.	State Loans and Grants Committees, Uttar Pradesh	3

(1)	(2)	(3)
	West Bengal	
16.	Board of Review of Publications, West Bengal	2
17.	State Law Commission, West Bengal	6
18.	State Sales Emporia Committee of the Government Sales Emporia at Calcutta and Howrah	7
	Under Union Territories	
	Delhi	
19.	Delhi State Thermal Project Control Board	5
	Goa Daman & Diu	
20.	Goa Shipyard Limited	1

APPENDIX VI

(*Vide* para 16 of the Report)

Bodies whose membership was recommended for exclusion from exemption from disqualification by JCOP but which have not been included in the Schedule to the draft Bill

PART A—*Bodies which still exist*

S. No.	Name of 'Committee'	Reference to Joint Committee's Report
1.	Planning Board for the Hill areas of Assam	Fourth Report of Fourth Lok Sabha—Para 15
2.	Market Committee, Tamil Nadu	Sixth Report of Fourth Lok Sabha —para 7
3.	Maharashtra State Dental Council	Sixth Report of Fourth Lok Sabha —para 8
4.	Kerala State Road Transport Corporation	Sixth Report of Fourth Lok Sabha —para 9
5.	State Transport Authority, Kerala	Sixth Report of the Fourth Lok Sabha —para 10

PART B—*Bodies which have since ceased to exist*

1.	National Advisory Committee to review the working of the National Scholarships Scheme	Fourth Report of Third Lok Sabha —para 10
2.	High Powered Committee on Security and Policing on Railways	Third Report of Fourth Lok Sabha —para 7
3.	Aeronautics Committee	Fourth Report of Fourth Lok Sabha —para 8

APPENDIX VII

MINUTES OF THE JOINT COMMITTEE ON OFFICES OF PROFIT

I

Seventh Sitting

The Committee met on Thursday, the 25th May, 1972 from 15.30 to 16.30 hours.

PRESENT

Shri Dharnidhar Basumatari—*Chairman.*

MEMBERS

Lok Sabha

2. Shri Chandrika Prasad
3. Shri Somnath Chatterjee
4. Shri Pratap Singh
5. Shri S. B. P. Pattabhi Rama Rao
6. Shri Arjun Sethi

Rajya Sabha

7. Shri Vithal Gadgil
8. Shri S. A. Khaja Mohideen
9. Shri Venigalla Satyanarayana

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. The Committee took up for consideration memorandum No. 31 on the Draft Parliament (Prevention of Disqualification) Amendment Bill, 1971.

Deviation in regard to Disqualification of Directorship

3. The Committee noted that some of the bodies included in the Schedule to the Draft Bill (Annexure I) were such in respect of which the recommendation of the Joint Committee was that only chairmanship/ chairmanship and secretaryship thereof ought to be excluded from exemption from disqualification. Having regard to the recommendation of the Joint Committee that Part I and Part II of the Schedue to the 1959 Act should be combined, only the chairmanship and secretaryship of these bodies should have been excluded from exemption. But under Clause 2(a) of the Draft Bill, not only the chairmanship and secretaryship of these bodies but even the *directorship* of these bodies was sought to be excluded from exemption.

4. The Committee noted that some of the bodies enumerated in the Schedule (Parts I & II) to the 1959 Act, having the office of director had also been included in the Schedule to the Draft Bill. While under the 1959 Act, the office of director of the bodies enumerated in the Schedule thereto had not been excluded from exemption from disqualification, under clause 2(a) of the Draft Bill, the office of director of the bodies included in the Schedule was sought to be excluded from exemption. As a result, the Committee felt that the directorship of a number of bodies, which was not excluded from exemption under the 1959 Act, would suffer disqualification under the Draft Bill.

5. As to the consideration on which the directorship of the bodies referred to in the preceding two paragraphs was sought to be excluded from exemption, the Ministry of Law and Justice had, *inter alia*, stated as follows:—

> ".....The Joint Committee.....observed in paragraph 5 of their third Report (Second Lok Sabha):—
>
> "The Committee also felt that if members, who were associated with certain bodies as Directors or otherwise, sat in the House they would be in an embarrassing position, *vis-a-vis* the Minister responsible for the particular statutory body when such body came up for discussion in the House."

In furtherance of the said principle, the Joint Committees of the Second, Third and Fourth Lok Sabha made recommendations in their various reports disqualifying the office of directorship in a number of public sector undertakings. In this connection, attention is invited to paragraphs 8 and 10, *Fifth* Report (Third Lok Sabha), paragraphs 15 and 16, *First* Report (Fourth Lok Sabha) etc. The main factors taken into consideration by the Joint Committee in making those recommendations were that the Directors may be called upon to exercise executive functions (*e.g.*, powers of control and supervision) and financial powers in relation to the undertakings concerned, and that they will wield influence and patronage which may be incompatible with the position *qua* Members of Parliament. In certain other cases, the Directors were entitled to remuneration or sitting fee far in excess of the compensatory allowance ordinary admissible to a Member of Parliament.

* * * * *

.....it may be noted that the office of director does not exist in each and every undertaking included in the Schedule. Finally, the Government felt that directorship of public undertakings, as a class, should be a disqualification. Clause 2 of the Bill as drafted is intended to give effect to these decisions."

6. The Committee felt that Government had not properly appreciated the recommendations of Joint Committee in regard to disqualification of directorship. However, having regard to the fact that the Boards of Directors of Public Undertakings, by and large, enjoyed executive and financial powers, the Committee agreed to accept the Government's suggestion that directorship of public undertakings, as a class, should disqualify.

Deviation in regard to disqualification of Membership

7. The Committee noted that in respect of the bodies enumerated in Annexure II, the recommendation of the Joint Committee was that their membership ought to be excluded from exemption, from disqualification. However, as the Draft Bill did not provide for exclusion from exemption of the office of *member* of the bodies enumerated in the Schedule thereto, their recommendation in regard to disqualification of the membership of these bodies had not been given effect to.

8. The Committee also noted that a number of existing bodies the membership of which had been recommended for exclusion from exemption by the Joint Committee (Annexure III) had not been included in the Schedule to the Draft Bill.

9. In regard to the bodies mentioned in the preceding two paragraphs, the Ministry of Law and Justice had stated as follows:—

> "It has not been possible to give effect to the recommendations of the Joint Committee in respect of these bodies as it is not within the scope of this Bill to include disqualification on account of membership of any statutory or non-statutory body."

10. In a subsequent clarification, the Ministry of Law and Justice stated as follows:—

> "It may.....be pointed out that the principle that Members of Parliament should be associated with public undertakings and other bodies as members where no pecuniary gain is derived, has been duly recognised by Parliament at the time of the enactment of the Parliament (Prevention of Disqualification) Act, 1959. In this connection, it may be recalled that in the Parliament (Prevention of Disqualification) Bill, 1957, as reported by the Joint Committee, the office of member was included in the second part of sub-clause (i) of clause 3 of the Bill for the purpose of entailing disqualification but this was dropped by an amendment in the Rajya Sabha which was later agreed to by the Lok Sabha. ** ** **
>
> ....The question whether membership simplicitor of any undertaking or body should entail disqualification is an important question of policy which as explained above had already been settled by Parliament. Once it is decided as a matter of policy to disassociate the Members of Parliament from being members of any such undertaking or body, there may not be any difficulty to enlarge the scope of the Bill in the manner proposed."

11. While the Committee agreed that under the 1959 Act, no disqualification was attached to the membership|directorship of a statutory or a non-statutory body if the remuneration payable to the member|director did not exceed the compensatory allowance, they noted that under the terms of reference of the Joint Committee on Offices of Profit, which was constituted shortly after the enactment of the 1959 Act, one of the functions assigned to the Joint Committee was "to examine the composition

and character of all existing 'committees' and all 'committees' that may hereafter be constituted *membership* of which may disqualify a person for being chosen as, and for being, a member of either House of Parliament under Article 102 of the Constitution". Thus, the Committee felt that even though, under the 1959 Act, no disqualification was attached to the *membership|directorship* of a body if the remuneration payable did not exceed the compensatory allowance, Parliament *did not treat this principle as final.*

12. The Committee, therefore, decided to reiterate that the membership of the bodies referred to in the paras 7-8 above ought not to be exempted from disqualification.

Scheme of the Schedule

13. The Committee noted that the Draft Bill contained a single schedule the chairmanship, secretaryship and directorship, as the case may be, of all the bodies included wherein are sought to be excluded from exemption from disqualification.

14. The Committee felt that to give proper effect to the recommendations made by the Joint Committee from time to time there should either be two separate schedules or two distinct parts of one schedule—one enumerating the bodies, the chairmanship and secretaryship of which were sought to be excluded from exemption from disqualification and the other enumerating the bodies the chairmanship, secretaryship as well as directorship|membership of which were sought to be excluded from exemption from disqualification. The Committee decided to recommend that the Schedule to the Draft Bill should be re-shaped on the above lines.

Non-inclusion of certain bodies in the Schedule

15. The Committee noted that in addition to the bodies mentioned in para 8 above, there were certain other bodies which, though recommended by them, had not been included in the Schedule to the Draft Bill. Likewise, certain bodies, which were included in the Schedule to the 1959 Act, had not been included in the Schedule to the Draft Bill. The Committee noted that most of these bodies had either ceased to exist or been reconstituted under some other name. The Committee considered the reasons given by the Ministry of Law and Justice in respect of these bodies as satisfactory except in the case of the Small Committee for distribution of Copper Quota, Jagadhri, Punjab (Haryana) in respect of which no reasons had been given.

16. The Committee felt that the entry in respect of the said body should not have been omitted from the Schedule, without their prior approval.

Miscellaneous

17. The Committee observed that offices in a number of statutory or non-statutory bodies the holding of which did not constitute any disqualification under the 1959 Act were sought to be excluded from exemption by the proposed legislation. The Committee felt that in case any of these offices was held by a sitting Member of Parliament, he might be

allowed a reasonable period from the date of coming into force of the proposed legislation to resign from such offices without being subjected to any disqualification during the transitional period.

18. The Committee noted that if State Governments did not furnish information in respect of the bodies constituted by them, the Committee were unable to examine whether the offices held in those bodies ought or ought not to be exempted from disqualification. The Committee felt that this was a serious lacuna in the existing arrangement which could lead to certain anomalies. For instance, while offices held in certain bodies in certain States might be excluded from exemption at the instance of the Committee, offices held in certain other bodies in some other States, with similar functions and powers, might escape disqualification on account of non-receipt of information by the Committee. The Committee, therefore, decided to ask the Ministry of Law and Justice to examine as to what measures could be taken to ensure that the requisite information in respect of all the bodies constituted by State Governments, was furnished to the Committee, soon after they were constituted.

19. The Committee noted that even though the Joint Committee in their successive Reports had urged Government to bring in early legislation to give effect to their recommendations, Government had forwarded the Draft Bill to the Committee only in July, 1971—nearly 11 years after the Committee had originally made the recommendation. The Committee decided to impress upon Government the need to bring in legislation for the purpose at shorter intervals say five yearly.

20. The Committee considered at some length the question whether they should forward their views on the proposals contained in the Draft Bill direct to Government in the form of Minutes or through a Report to be presented to the House. The Committee felt that the latter course would be more appropriate.

21. The Committee then adjourned to meet again on Monday, the 29th May, 1972 at 16.00 hours to consider their draft Report on the Draft Parliament (Prevention of Disqualification) Amendment Bill, 1971.

ANNEXURE I

(*Vide* para 3 of the Minutes)

List of Bodies in respect of which JCOP recommended disqualification of only Chairmanship/ Chairmanship and Secretaryship but Directorship of which is also proposed to be disqualified

S. No.	Name of the Body	Recommendation by JCOP for inclusion in Part I or II of the Schedule to 1959 Act	Reference in the Schedule to the draft Bill
	UNDER CENTRAL GOVERNMENT		
1.	Board of Directors of the Bharat Electronics Ltd.	Part I (4R—2LS)	S. No. 9
2.	Board of Directors of the Export Credit and Guarantee Corporation, Bombay.	Part I (5R—4LS)	S. No. 11
3.	Board of Directors of the Hindustan Antibiotics Ltd.	Part I (2R—2LS)	S.No. 16
4.	Board of Directors of the Hindustan Housing Factory.	Part I (2R—2LS)	S. No. 18
5.	Board of Directors of the Hindustan Steel Ltd. .	Part II (4R—3LS)	S.No. 22
6.	Board of Directors of the Indian Rare Earth Ltd. .	Part I (2R—2LS)	S. No. 24
7.	Board of Directors of the Indian Telephone Industries Ltd., Bangalore.	Part I (2R—2LS)	S. No. 25
8.	Board of Directors of the Nahan Foundry Private Ltd.	Part I (1R—2LS)	S.No. 27
9.	Board of Directors of the National Projects Construction Corporation.	Part I (2R—2LS)	S.No. 32
10.	Board of Directors of the National Research Development Corporation of India.	Part I (2R—2LS)	S.No. 33
11.	Board of Directors of the Orissa Mining Corporation Ltd.	Part I (2R—2LS)	S.No. 36
12.	Board of Directors of the Praga Tools Corporation Ltd.	Part I (2R—2LS)	S.No. 37
13.	Indian Handicrafts Development Corporation (Private) Ltd.	Part I (1R—2LS)	S.No. 104
14.	Life Insurance Corporation of India. . .	Part I (5R—2LS)	S.No. 110
	UNDER STATE GOVERNMENTS		
	Mysore		
15.	Board of Management, Kolar Gold Mining Undertakings.	Part I (2R—2LS)	S. No. 1
	Orissa		
16.	Board of Directors of the Orissa Warehousing Corporation.	Part I (4R—2LS)	S. No. 2

ANNEXURE II

(*Vide* para 7 of the Minutes)

List of bodies in the Schedule to the Draft Bill in respect of which the recommendations of the JCOP in regard to disqualification of Membership have not been given effect to

Sl. No.	Name of bodies	Sl. No. in the Schedule to the Draft Bill.
	UNDER CENTRAL GOVERNMENT	PART
1.	Agricultural Prices Commission.	3
2.	Atomic Energy Commission.	5
3.	Central Board of Trustees, Employees' Provident Fund	54
4.	Jury for Jawaharlal Nehru Award for International Understanding.	107
5.	Panel of Agricultural Scientists.	116
6.	Panel of the Structural Fabricating Industry.	117
7.	Posts and Telegraphs Workshops Board.	121
8.	Textiles Committee, Bombay, established under section 3 of the Textiles Committee Act, 1963 (41 of 1963).	132
	UNDER STATE GOVERNMENTS	PART II
	Andhra Pradesh	
9.	State Managing Committee for the Special Fund for Reconstruction and Rehabilitation of ex-servicemen.	13
	Kerala	
10.	Cochin Town Planning Trust.	3
	Madhya Pradesh	
11.	Madhya Pradesh Housing Board constituted under section 3 of the Madhya Pradesh Housing Board Act, 1950 (Madhya Pradesh Act 43 of 1950).	2
	Maharashtra	
12.	Board of Examiners for the State of Maharashtra.	6
13.	District and Divisional Selection Boards, Maharashtra.	7
14.	Maharashtra Housing Board constituted under section 3 of the Bombay Housing Board Act, 1948 (69 of 1948).	9
	Uttar Pradesh	
15.	State Loans and Grants Committees, Uttar Pradesh.	5
	West Bengal	
16.	Board of Review of Publications, West Bengal.	2
17.	State Law Commission, West Bengal.	6
18.	State Sales Emporia Committee of the Government Sales Emporia at Calcutta and Howrah.	7
	UNDER UNION TERRITORIES	
	Delhi	
19.	Delhi State Thermal Project Control Board.	5
	Goa, Daman & Diu	
20.	Goa Shipyard Limited.	1

ANNEXURE III

(*Vide* para 8 of the Minutes)

Bodies whose membership was recommended for exclusion from exemption from disqualification by JCOP but which have not been included in the Schedule to the draft Bill

S. No.	Name of 'Committee'	Reference to Joint Committee's Report
1.	Planning Board for the hill areas of Assam	Fourth Report of Fourth Lok Sabha—Para 15.
2.	Market Committee, Tamil Nadu	Sixth Report of Fourth Lok Sabha—Para 7.
3.	Maharashtra State Dental Council	Sixth Report of Fourth Lok Sabha—Para 8.
4.	Kerala State Road Transport Corporation	Sixth Report of Fourth Lok Sabha—Para 9.
5.	State Transport Authority, Kerala	Sixth Report of Fourth Lok Sabha —Para 10.

Eighth Sitting

The Committee met on Monday, the 29th May, 1972 from 16.00 to 16.50 hours.

PRESENT

Shri Dharnidhar Basumatari—*Chairman*

MEMBERS

Lok Sabha

2. Shri Somnath Chatterjee
3. Shri Jagannathrao Joshi
4. Shri Z. M. Kahandole
5. Shri S. B. P. Pattabhi Rama Rao
7. Shri Ramavatar Shastri

Rajya Sabha

8. Shri Vithal Gadgil
9. Shri Sanda Narayanappa
10. Shri Venigalla Satyanarayana.

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary.*

2. The Committee considered their Draft Second Report, on the Draft Parliament (Prevention of Disqualification) Amendment Bill, 1971 and pted it, subject to certain verbal amendments.

3. The Committee decided that the Report might be presented to Lok ha on the 31st May, 1972 and laid on the Table of Rajya Sabha on same day.

4. The Committee authorised the Chairman and, in his absence, Shri S. P. Pattabhi Rama Rao to present the Report to Lok Sabha on their alf.

5. The Committee authorised Shri Venigalla Satyanarayana and, in his absence, Shri Sanda Narayanappa to lay the Report on the Table of Rajya Sabha.

The Committee then adjourned to meet again at 16.00 hours on , the 23rd June, 1972.